



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, MONDAY, JANUARY 28, 2008

No. 13

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. BUTTERFIELD).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 28, 2008.

I hereby appoint the Honorable G.K. BUTTERFIELD to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, author of life and source of eternal love, You have revealed Yourself in human terms so that we may sense Your presence and in our minds hold onto Your commands.

Help us in Congress and as a nation to respect one another as You respect all and endow each human life with inalienable rights.

According to Your provident ways each age is blessed with unique personalities and particular persons who are given significant positions and great responsibilities.

Because the President of the United States of America has constitutional duties, overwhelming demands, powerful decisions to make, and enormous influence upon world history, he is always in need of our prayers.

As this Chamber and this body is readied to welcome President George W. Bush for his State of the Union Address, we ask Your blessing upon him, his Cabinet, all his advisers, and especially his family. Guide him, protect him. Grant him health and Your saving grace; that Your people may be united and strengthened in truth, goodness,

and peace. This we ask calling upon Your holy name. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MODERNIZING FOREIGN INTELLIGENCE SURVEILLANCE ACT

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, later this week Congress will return to the issue of how best to modernize the Foreign Intelligence Surveillance Act. In November in this House of Representatives, we passed a very good bill. We would do well to observe the principles established in that bill.

Any final review of domestic surveillance passed by Congress should include court review of executive branch actions. The reason for this requirement is quite simple. Having a legal standard of review provides us both better intelligence and better civil liberty protections for our people. It is simple. It has been demonstrated that when officials must establish before an independent court that they know

what they are doing, that they have reason to intercept communications, we get better intelligence. And, of course, that's the point, to have the intelligence to protect the American people from indiscriminate collection and fishing expeditions. Those are not productive.

In November, we passed a bill that would do this, the RESTORE Act. That bill guarantees court review of executive branch actions related to surveillance activities. I would commend that bill to this House.

### BONUS DEPRECIATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to thank the bipartisan leadership and the White House for including a bonus depreciation provision in the proposed economic stimulus package.

Currently, the package we plan to vote on tomorrow will include a 50 percent bonus depreciation for the first year for certain machinery and equipment purchases. This increase in bonus depreciation was included in the Jobs Tax Relief Act of 2003 and contributed to the productivity of small businesses, a boost in job creation, and a steady rise in the growth of the economy over the last 5 years. This incentive for small businesses enables them to compete with foreign competitors. The best way to weather this current economic storm is to build on the principles that have made our economy the envy of the world. That means lower taxes, less government regulation, and economic incentives for American businesses. We should promote the concept that the people should keep their own money which they know how to spend best as explained by editor Jerry Bellune of the Lexington County Chronicle.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H459

In conclusion, God bless our troops, and we will never forget September the 11th.

#### JOBS TRAINING PROGRAM

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I know we are going to be looking at economic stimulus packages, and we are going to be trying to jump-start and help our economy. It is my belief that one way that we can do that is to make sure that we provide a jobs training program for the 1 million young people across the country who don't have any money, no job, no employment, many of them are out of school.

Let's consider a job training program for our young people as a part of the economic stimulus package.

#### UNCLE SAM'S BIG BAILOUT

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, the gloom, doom, and depressed say the economy is in trouble. The naysayer's solution is a big government bailout.

Since Uncle Sam has apparently spent the money brought in by income taxpayers, he will just borrow \$150 billion and give it away to Americans, many of whom don't even pay income tax.

The idea is that Americans will rush out and spend the free money and that will allegedly help the economy. But the last time the Feds gave away money, 75 percent of the recipients paid off personal debt rather than go shopping at the mall.

And where is Uncle Sam going to borrow \$150 billion? Probably from Communist China, who already owns much of our debt. You know, the country that sells toys to America that contain lead.

How does borrowing billions with interest expecting our kids to pay off our debt make us better off? The big spending gimmick has all of the earmarks of vote pandering.

No individual or country can spend money it doesn't have and then blissfully claim economic victory.

And that's just the way it is.

#### WORKING TOGETHER

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Mr. Speaker, tonight we expect to hear President Bush's last State of the Union address to this Congress. I hope that the recent days working together with this Congress on a bipartisan economic stimulus package can be a good model for

the rest of this year and the rest of this President's term.

We want to extend a hand to work with him when we can, and this is a good example of how we can do it. But if we see continued roadblocks to progress in this country, we must work to break those roadblocks down and continue to work restoring fiscal responsibility in our government, changing course in Iraq, preparing to address global climate change, addressing the military readiness crisis in this country, and restoring America's moral leadership in the world.

I believe we can and we must continue to work together for the great needs of this country. I hope we can continue to do that for the rest of this session.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 24, 2008.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 24, 2008, at 10:08 a.m.:

That the Senate agreed to S. Con. Res. 63.  
With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 25, 2008.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 25, 2008, at 9:55 a.m.:

That the Senate agreed to H. Con. Res. 282.  
With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by the Speaker on Thursday, January 24, 2008:

H.R. 3432, to establish the Commission on the Abolition of the Transatlantic Slave Trade.

H.R. 4986, to provide for the enactment of the National Defense Author-

ization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgments against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 5 p.m. today.

#### FELIX SPARKS POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4240) to designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the "Felix Sparks Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4240

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FELIX SPARKS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, shall be known and designated as the "Felix Sparks Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Felix Sparks Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Georgia (Mr. WESTMORELAND) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, I thank the gentleman from Illinois.

I rise today to pay tribute and say thank you to a Colorado icon and an American hero, Felix Sparks, with H.R. 4240.

Sparks, who recently passed away at the age of 90, lived an extraordinary life that exemplified public service and devotion to one's country.

A Texas native raised in Arizona, Felix Sparks was a part of our "Greatest Generation" who answered our Nation's call to duty during the Second World War.

Described as a "soldier's soldier," he would endure over 500 days of combat and partake in three of the most important events that would define modern history.

The Battle of Reipertswiller, the Battle at the Caves of Anzio, and the liberation of the Dachau concentration camp.

One story in particular that I would like to call to your attention which attests to the character of Felix Sparks occurred during the Battle of Reipertswiller, a battle in which 158 enlisted soldiers were killed, 300 men were wounded, and another 426 were captured over a course of only 3 days.

After finding his unit under siege and trapped in enemy territory, Sparks, then a lieutenant colonel, refused to leave behind three of his men who lay incapacitated in the open battlefield.

Facing near-certain death, he courageously left his tank and raced, on foot, directly into the close-range crosshairs of the German gunners to rescue those soldiers.

□ 1415

With only a holstered pistol in tow, he would drag each of his wounded comrades, one by one, to safety.

A personal account of this series of events was uncovered in the memoirs of a German SS officer who had commanded his gunner not to fire on Sparks. The memoir read: "Those of us witnessing the scene, whether nearby or more distant, instinctively felt there was no honor to be won by firing on this death-defying act of comradeship."

Sparks also cheated death a year earlier at the Battle of the Caves of Anzio in Italy, where he would be only one of two men in his company to survive. Sparks was part of the first Allied force to witness the horrors and atrocities of the Dachau concentration camp on the discovery of 39 rail cars packed with some 2,000 Holocaust victims. In all, 30,000 prisoners were liberated from Dachau by the Allied Forces; and for the rest of his life, Sparks would continue to speak out at Holocaust remembrance ceremonies.

Based on his experiences at Dachau, Felix was tireless in his efforts to refute those shameless individuals who try to rewrite history and claim the Holocaust and Dachau never occurred. He'd say: "Tell that to my face" in a shout and in a voice that indicated he'd been there and saw it personally.

For his service during World War II, he was awarded a Silver Star and two

Purple Hearts after being severely wounded on the battlefield. He would continue his military service with the National Guard until his retirement as a brigadier general in 1977.

And upon his return from the war, enamored with stories from his men about their hometowns in the Rocky Mountains, Felix and his wife settled in Colorado. There, the Sparks family would grow to include four children, six grandchildren, and seven great grandchildren.

He would earn his law degree from the University of Colorado and become a Colorado district attorney. Renowned for his commanding speaking ability, Felix would then go on to become the youngest supreme court justice in Colorado's history at just 38 years of age. He would preside over several of the most prolific and high profile cases in our State's history.

After his service on our State's highest court, Sparks, an expert in water law, would serve for over two decades as the director of the Colorado Water Conservation Board. He would write some of the most influential and important groundwater laws that have continued to serve our State for decades thereafter.

I came to know Felix during my days in the Colorado senate after he had testified in my committee with regard to an anti-gun violence measure following the tragic death of his grandchild from a drive-by shooting. His passion and his words live with me to this day. And he was so well respected for his honesty and straightforward testimony.

It is also important to note, after returning home from the war, Felix would continue to personally reach out to console the families of his men and promise them he would never forget.

Mr. Speaker, one of the main reasons I bring this bill to the floor today is so this promise that Felix Sparks made to the families of his men can live on for generations. This bill pays tribute to Felix's men in the 157th Infantry Regiment of the 45th Infantry Division of the United States Army, whose motto since the Spanish-American War has been "Eager for Duty."

Our Nation can never adequately repay and give thanks to these individuals for their sacrifices in the battles against tyranny, in the battles for our Nation's freedom. It is my hope the renaming of the Lakewood post office for Felix Sparks will inspire future generations to find a calling in public service.

This bill also pays tribute to Mary Sparks and the Sparks family, who meant so much to Felix and to our community.

In closing, I wish to thank each of my colleagues in the Colorado delegation for joining me in bidding a fond farewell to a man who meant so much to our State and to our Nation.

I urge my colleagues to vote in favor of H.R. 4240 to rename the Lakewood post office in Felix Sparks' honor.

Mr. WESTMORELAND. Mr. Speaker, I yield myself as much time as I may consume.

I rise today to honor the memory of a great American, Felix Sparks, who recently passed away at the age of 90. Mr. Sparks' commitment to our country began in 1940 when he joined the 157th Infantry Regiment of the 45th Division. He would go on to fight bravely in World War II, earning a Silver Star and two Purple Hearts. During the war, he even helped liberate 30,000 people from the infamous Dachau concentration camp.

Upon returning to the States, Felix and his wife, Mary, settled in Colorado. Still wanting to continue his service to our country, he then joined the National Guard. He would remain active in the Guard until 1970, when he retired as a brigadier general.

Besides his exemplary military service record, Mr. Sparks also excelled as a civilian. He had a brilliant legal mind. This was reflected in his appointment to the supreme court of Colorado at the age of 38, making him the youngest justice in the State's history.

His expertise was water law, which he applied as director of the Colorado Water Conservation Board for over two decades.

Considering his years of selfless public service to his State and to his country, I believe it is a fitting tribute to name a post office in Colorado in his honor. Hopefully, his life will serve as an example to others to follow.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I'm pleased to join my colleagues in the consideration of H.R. 4240, which names a postal facility in Lakewood, Colorado, after Felix Sparks.

H.R. 4240, which was introduced by Representative PERLMUTTER on November 15, 2007, was reported from the Oversight Committee on December 12, 2007, by voice vote. The measure has the support of the entire Colorado congressional delegation and provides us with yet another opportunity to pay tribute to an extraordinary American citizen.

Felix Sparks served his country proudly as a World War II Army brigadier and served his community diligently as a member of the Colorado supreme court. For his service in World War II, Mr. Sparks was awarded a Silver Star and two Purple Hearts after being wounded on the battlefield.

Additionally, for over 20 years, Mr. Sparks worked to protect and improve the environment in the great State of Colorado by serving as director of Colorado's Water Conservation Board.

Mr. Speaker, given Mr. Sparks' contribution to Colorado, and to America in general, he deserves to be commended. Therefore, I would urge swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Speaker, I don't have any other speakers, but I want to urge all Members to support the passage of H.R. 4240, the naming of this post office for this great American hero.

Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further speakers and would urge passage.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 4240.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### LARRY S. PIERCE POST OFFICE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2110) to designate the facility of the United States Postal Service located at 427 North Street in Taft, California, as the "Larry S. Pierce Post Office".

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2110

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. LARRY S. PIERCE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 427 North Street in Taft, California, shall be known and designated as the "Larry S. Pierce Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Larry S. Pierce Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Georgia (Mr. WESTMORELAND) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I would ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I now yield myself such time as I might consume.

As a member of the House Committee on Government Reform and Oversight, I'm pleased to join my colleagues in the consideration of S. 2110, which names the postal facility in the town of Taft, California, after Larry S. Pierce.

S. 2110, which was introduced in the Senate by Senator DIANNE FEINSTEIN of California on September 27, 2007, and passed by the Chamber with unanimous consent on November 16, 2007, was considered and reported out of the Oversight Committee by voice vote on December 12, 2007.

Mr. Speaker, the bill before us seeks to pay tribute to a great American serviceman by requesting that the postal facility in Taft, California, be renamed in honor of Staff Sergeant Larry Pierce, who lost his life at the young age of 24 while fighting for our country in the Vietnam War. A recipient of the Medal of Honor, Staff Sergeant Pierce stands as a reminder to us all of the great sacrifice our men and women in uniform are making on a daily basis to protect America.

And so, Mr. Speaker, I join with my colleagues from California in recognizing the contributions of Staff Sergeant Larry S. Pierce and urge swift passage of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Speaker, I yield myself as much time as I may consume. I rise today to honor the memory of Army Staff Sergeant Larry Pierce, a true American hero.

Larry Pierce was raised in Taft, California. He would have graduated from Taft Union High School in 1959, but he chose to enlist in the Army in 1958. Seven years later, having achieved the rank of staff sergeant, Larry found himself in Vietnam as the squad leader of a reconnaissance platoon. On September 20, 1965, his squad was on patrol when it was ambushed by hostile forces. Thanks to Staff Sergeant Pierce's leadership and courage, the squad successfully repelled the attack, driving the enemy away. While in pursuit of the enemy, Pierce's squad came across a dirt road. It was on this road Sergeant Pierce discovered an anti-personnel mine. Knowing it would destroy the majority of his squad who was not aware of its presence, Sergeant Pierce threw himself completely on top of the mine. In this act of unbelievable bravery, Sergeant Pierce saved the lives of all his squad, while sacrificing his own. For his actions he was awarded the Congressional Medal of Honor. He left behind a wife and three children.

Sergeant Pierce represents the very best in the tradition of service and selflessness of our Armed Forces. It is fitting that we name this post office in his hometown of Taft, California, in his honor. Surely, his story can live as an example of what it truly means to be a hero.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I would continue to reserve.

Mr. WESTMORELAND. Mr. Speaker, at this time I would like to recognize the author of the companion bill that was dropped here in the House, the distinguished colleague of mine from California (Mr. MCCARTHY) for as much time as he may consume.

□ 1430

Mr. MCCARTHY of California. Mr. Speaker, I rise today in strong support of the legislation, S. 2110, to designate the United States Post Office located at 427 North Street in Taft, California, as the Larry S. Pierce Post Office, the true hometown hero.

U.S. Army Staff Sergeant Pierce was born in Oklahoma in 1941. As a young child, his family moved to Taft, California, which I represent today. Sergeant Pierce attended Taft city schools and would have graduated from Taft Union High School with the class of 1959 but decided to serve his country by joining the U.S. Army in 1958.

Sergeant Pierce served in the 1st Battalion Airborne, 503rd Infantry and the 173rd Airborne Brigade in the Vietnam War.

On September 20, 1965, near Ben Cat in Vietnam, Sergeant Pierce was leading his reconnaissance platoon, was ambushed by hostile forces. Sergeant Pierce and his squad successfully routed the hostile forces from their location. During pursuit of this enemy, Sergeant Pierce heroically sacrificed his own life to save his men. He came upon a road where they found a mine. He threw himself upon it knowing that if this mine went off, it would destroy many and take many lives of his own men.

Upon hearing of this and upon his death, in February of 1966 President Lyndon B. Johnson awarded Sergeant Pierce the Medal of Honor. In this award, he went on to say for his "inspiring leadership and personal courage," and his "profound concern for his fellow soldiers," acting with "extraordinary heroism, at the cost of his life" and to "great credit upon himself and the Armed Forces of his country."

Sergeant Pierce would have been 66 years old this year. He is survived by his wife, Verlin, who currently lives in Bakersfield, California; his children, Teresa, Kelley and Gregory.

This legislation is a fitting honor for a Vietnam War veteran who sacrificed his life to save the lives of fellow soldiers by naming the post office in his hometown of Taft in his memory.

I do want to thank Senator FEINSTEIN for introducing this legislation and for working with me. Taft is a place where Senator FEINSTEIN's own father worked. She knows of the work of Sergeant Larry Pierce, the hometown hero, as many have gone on to say.

Mr. Speaker, I include for the RECORD a copy of Staff Sergeant Larry Pierce's Medal of Honor and a copy of the Taft City Council letter of support and resolution requesting the post office in his name.

#### U.S. ARMY—MEDAL OF HONOR CITATION PIERCE, LARRY S.

Rank and organization: Sergeant, U.S. Army, Headquarters and Headquarters Company, 1st Battalion (Airborne), 503d Infantry, 173d Airborne Brigade. Place and date: Near Ben Cat, Republic of Vietnam, 20 September 1965. Entered service at: Fresno, Calif. Born:

6 July 1941, Wewoka, Okla. G.O. No.: 7, 24 February 1966. Citation: For conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty. Sgt. Pierce was serving as squad leader in a reconnaissance platoon when his patrol was ambushed by hostile forces. Through his inspiring leadership and personal courage, the squad succeeded in eliminating an enemy machinegun and routing the opposing force. While pursuing the fleeing enemy, the squad came upon a dirt road and, as the main body of his men entered the road, Sgt. Pierce discovered an antipersonnel mine emplaced in the road bed. Realizing that the mine could destroy the majority of his squad, Sgt. Pierce saved the lives of his men at the sacrifice of his life by throwing himself directly onto the mine as it exploded. Through his indomitable courage, complete disregard for his safety, and profound concern for his fellow soldiers, he averted loss of life and injury to the members of his squad. Sgt. Pierce's extraordinary heroism, at the cost of his life, are in the highest traditions of the U.S. Army and reflect great credit upon himself and the Armed Forces of his country.

CITY OF TAFT,  
Taft, CA, September 10, 2007.

Hon. KEVIN MCCARTHY  
House of Representatives,  
Washington, DC.

SIR: The City Council of the City of Taft, at their regular meeting on September 4, 2007, unanimously passed Resolution No. 2986-07, which requests that The Congress of the United States of America name the Taft Post Office "The Larry S. Pierce Post Office".

Enclosed is a certified copy of the Resolution and a brief biography of SSG Pierce, and the City Council of the City of Taft urges you to introduce legislation in the United States House of Representatives to implement this name change. SSG Pierce is an honored son of Taft and the citizens of Taft wish to remember him in this manner.

A similar request is being sent to California State Senator Dianne Feinstein for introduction of legislation in the Senate. If you need any additional information about SSG Pierce or the City of Taft, please feel free to contact me.

Very truly yours,

LOUISE HUDGENS,  
City Clerk.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAFT REQUESTING CONGRESS OF THE UNITED STATES OF AMERICA TO NAME THE TAFT POST OFFICE "THE LARRY S. PIERCE POST OFFICE"

Whereas, Larry S. Pierce was born July 6, 1941, in Wewoka, Oklahoma, and as a young child moved with his family to Taft, California and attended Taft City Schools and Taft Union High School; and

Whereas, Larry S. Pierce would have graduated with the Taft Union High School class of 1959; however, he chose instead to serve his country and joined the United States Army in 1958 and attained the rank of Staff Sergeant in the Headquarters and Headquarters Company of the 1st Battalion, 503rd Infantry Regiment, 173rd Airborne Brigade; and

Whereas, on September 20, 1965, near Ben Cat in the Republic of Vietnam, Larry S. Pierce, while serving as a squad leader, gave the ultimate sacrifice by smothering the blast of an anti-personnel mine with his body to protect his fellow soldiers; and

Whereas, on February 24, 1966, President Lyndon B. Johnson, 36th President of the United States, posthumously awarded Staff Sergeant Pierce the Medal of Honor, which was accepted by Pierce's wife, Verlin, daughter Teresa, and sons Kelley and Gregory; and

Whereas, a portion of the Medal of Honor citation reads, "Through his indomitable courage, complete disregard for his safety, and profound concern for his fellow soldiers, he averted loss of life and injury to the members of his squad. Sgt. Pierce's extraordinary heroism, at the cost of his life, are in the highest traditions of the U.S. Army and reflect great credit upon himself and the Armed Forces of his country"; and

Whereas, Taft has faithfully supported its sons and daughters who have served in the military, particularly those who have gone in harm's way; and it is fitting and appropriate that a community with such values should conspicuously honor its heroes; and

Whereas, specifically the citizens of Taft, California, wish to honor the memory of Larry S. Pierce by naming the Taft Post Office, 427 North Street, Taft, California 93268 after him. Now, therefore, be it

Resolved, The City Council of the City of Taft does hereby request The Congress of the United States of America to name the Taft Post Office, "The Larry S. Pierce Post Office".

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Mr. WESTMORELAND. Mr. Speaker, at this time I have no further speakers, and I urge all Members to support the passage of S. 2110.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time and urge the passage of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 2110.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### RICHARD B. ANDERSON FEDERAL BUILDING

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4140) to designate the Port Angeles Federal Building in Port Angeles, Washington, as the "Richard B. Anderson Federal Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4140

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. RICHARD B. ANDERSON FEDERAL BUILDING.

(a) DESIGNATION.—The Federal building located at 138 West First Street, Port Angeles, Washington, shall be known and designated as the "Richard B. Anderson Federal Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal

building referred to in subsection (a) shall be deemed to be a reference to the "Richard B. Anderson Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

#### GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 4140.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4140 is a bill to designate the Federal building located at 138 West First Street, Port Angeles, Washington, as the Richard B. Anderson Federal Building.

Private First Class Richard Anderson was born in 1921 in Tacoma, Washington. He joined the Marine Corps on July 6, 1942, and received his Marine Corps training in San Diego, California.

He died at the young age of 22 during World War II and on Roi Island, part of the Marshall Islands in the Pacific. He was awarded the Purple Heart and the Medal of Honor. His heroism is marked by his actions on Roi Island when he hurled himself on a live grenade in a shell hole to save the lives of many people. He was severely injured and died of his injuries on February 1, 1944. He was buried at sea with full military honors.

In 1945, the U.S. Navy destroyer USS *Richard B. Anderson* was named in honor of Medal of Honor recipient Anderson.

It is both fitting and proper to honor the life and courageous actions of Richard B. Anderson in this designation. I support this bill.

Mr. Speaker, I reserve the balance of our time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

The bill before us designates what is a Federal building in Port Angeles, Washington, as the Richard B. Anderson Federal Building.

Richard Beatty Anderson served in the United States Marines during World War II in the Marshall Islands. He sacrificed his life to save three other marines by throwing his body on a live grenade and taking the full impact of the explosion. Private First Class Anderson was evacuated to a ship where he died of his wounds on February 1, 1944.

His heroism and loyalty in the face of certain death earned him the Medal of Honor. The United States Navy destroyer USS *Richard B. Anderson* was

named in his honor in 1945 and went on to serve in both the Korean and Vietnam Wars, earning 15 battle stars.

This bill is a fitting tribute to Private First Class Anderson's sacrifice and service to his country. I support this measure and urge my colleagues to do the same.

Mr. DICKS. Mr. Speaker, I rise in support of H.R. 4140, a bill to designate the Port Angeles Federal Building in Port Angeles, Washington, as the "Richard B. Anderson Federal Building."

Private First Class Richard B. Anderson was born in Tacoma, Washington on June 26, 1921 and graduated from Sequim High School in Sequim, Washington. Private Anderson entered the Marine Corps in 1942 and eventually joined his last unit, Company E, 2nd Battalion, 23rd Marines in San Diego, California. He departed for Roi-Namur, an island in the northern part of the Kwajalein atoll in the Marshall Islands, with his unit in January 1944.

While hunting enemy snipers on Roi-Namur, PFC Anderson, a member of the invasion force, hurled himself on a live grenade in a shell hole to save the lives of three Marines. Anderson was evacuated to a ship, where he died of his wounds on February 1, 1944. For his heroic actions, PFC Anderson was posthumously awarded the Congressional Medal of Honor and the Purple Heart.

Mr. Speaker, the House is now considering legislation that will honor PFC Anderson for his heroic efforts on Roi Island. Specifically, this legislation would rename the Federal Building in Port Angeles, Washington after Richard B. Anderson. I urge the House to adopt this important legislation.

Mr. OBERSTAR. Mr. Speaker, H.R. 4140 designates the Port Angeles Federal Building located at 138 West First Street, Port Angeles, Washington, as the "Richard B. Anderson Federal Building."

Private First Class, PFC, Richard B. Anderson was born on June 26, 1921, in Tacoma, Washington. Anderson grew up in Port Angeles, Washington, and attended Sequim High School.

On July 6, 1942, Anderson joined the United States Marine Corps. He received his basic and infantry training at the Marine Corps Recruit Depot in San Diego, California, and was promoted to the rank of Private First Class on April 12, 1943.

Following his promotion, PFC Anderson was assigned to the East Company, 2nd Battalion, of the 23rd Marines. PFC Anderson's unit was deployed to the Marshall Islands in January 1944. On February 1, 1944, his company was part of an invasion force fighting to take control of Roi Island from the Japanese.

During the assault, Anderson and three other Marines jumped into a shell crater to escape enemy fire. As Anderson prepared to throw a grenade from inside the crater, the grenade slipped from his hands and began to roll toward the other three marines in the crater. In an act of selfless heroism, Anderson lunged on top of the live grenade and absorbed the full impact of the blast, saving the lives of his fellow soldiers. Anderson died from his wounds shortly thereafter.

After his death, PFC Anderson was awarded the Purple Heart and the Medal of Honor for his acts of bravery and service to his country.

On October 26, 1945, the United States Navy commissioned a DD-786 destroyer bat-

tle ship as the USS *Richard B. Anderson* in honor of the fallen hero. The ship began active service in January 1947, and was used in combat for the Vietnam and Korean wars. The ship remained in active service until December 20, 1975.

I strongly urge my colleagues to join me in supporting H.R. 4140.

Mr. PETRI. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no requests for time, and I yield back my time and urge passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) that the House suspend the rules and pass the bill, H.R. 4140.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### AMENDMENT TO THE INTERNATIONAL CENTER ACT

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3913) to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3913

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AMENDMENT TO THE INTERNATIONAL CENTER ACT.

The first section of the International Center Act (Public Law 90-553; 82 Stat. 958) is amended by adding at the end the following new sentence: "Notwithstanding the foregoing limitations, the property identified by the District of Columbia as tax lots 803, 804, 805, and 806 within the area described in this section may be leased or subleased to an entity other than a foreign government or international organization, so long as the Secretary maintains the right to approve the occupant and the intended use of the property."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5

legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3913.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I'm pleased to support H.R. 3913, a bill to make a needed technical amendment to the International Center Act, P.L. 90-553.

H.R. 3913 authorizes the Department of State to lease land to Intelsat at the International Center, which is located on Connecticut Avenue at Van Ness Street in northwest Washington.

The amendment clarifies and ensures that Intelsat's long-term lease of the land, on which its headquarters is located, is consistent with the International Center Act.

Intelsat was originally established in the early 1900s as an international organization. In 2000, Congress passed legislation which essentially required Intelsat to become a private company.

Unfortunately, at that time, Congress overlooked a change in the ICA that would be necessary when Intelsat completed its transition to a private company, and this bill corrects that omission.

I support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

The bill before us amends the International Center Act to allow the State Department to lease a Federal property in northwest Washington to non-governmental entities. Currently, the International Center Act only permits the State Department, as has been said, to lease the property to foreign governments or international organizations.

The site is occupied by the international satellite service provider Intelsat, which was privatized by an act of Congress in the year 2000. Prior to its privatization, Intelsat was created as an international organization in the 1960s to establish the world's first global satellite system.

As an international organization, Intelsat leased the property for 99 years from the State Department in accordance with the International Center Act. The bill before us corrects an apparent oversight when Intelsat was privatized by this Congress.

The underlying statute requires a foreign government or international organization to occupy the property, and that was no longer consistent with the lease between the government and Intelsat after Intelsat was privatized. This bill would make the International Center Act consistent with the lease.

Mr. OBERSTAR. Mr. Speaker, H.R. 3913 amends a provision of the International Center Act ("ICA"), which established the authority for the U.S. Department of State to lease property in the District of Columbia to foreign governments or international organizations.



The ICA (P.L. 90–553), passed by Congress in 1968, authorizes the Secretary of State “to sell or lease to foreign governments and international organizations” Federal property located in Northwest Washington, DC, off of Connecticut Avenue. The 47-acre parcel of land authorized by the bill offers space for new embassies, consulates, and international organizations and is commonly referred to as the International Center.

Intelsat was formed in the 1960s as an international commercial cooperative of 142 countries that provided global telecommunications including television, telephone, and data transmission. Intelsat’s headquarters are located in the International Center.

In 2000, an act of Congress privatized Intelsat (P.L. 106–180). Since the ICA does not permit the U.S. State Department to lease space within the International Center to a private entity, Intelsat’s lease no longer meets the requirements of the ICA. H.R. 3913 makes technical amendments to the ICA to permit Intelsat to continue its tenancy.

I urge my colleagues to join me in supporting H.R. 3913.

Mr. PETRI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I yield back my time and urge passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) that the House suspend the rules and pass the bill, H.R. 3913.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### HONORING THE TEXAS WATER DEVELOPMENT BOARD

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 832) honoring the Texas Water Development Board on its selection as a recipient of the Environmental Protection Agency’s 2007 Clean Water State Revolving Fund Performance and Innovation Award, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 832

Whereas the Texas Water Development Board (TWDB) was honored as a 2007 recipient of the Environmental Protection Agency’s Performance and Innovation in the SRF Creating Environmental Success (PISCES) Award on November 5, 2007;

Whereas the Clean Water State Revolving Fund (CWSRF) program in Texas has been a front-runner and a precedent-setting program in wastewater management for many years, and its CWSRF leveraging practices as well as other established management practices are used by many other States as examples to enhance the management of their funds;

Whereas the CWSRF program in Texas has successfully awarded communities approxi-

mately \$4,300,000,000 in low-interest loans to finance 472 water infrastructure projects across Texas;

Whereas these projects, which serve approximately one-half of the population of Texas and treat about 2,100,000,000 gallons per day of wastewater, provide direct environmental and public health benefits;

Whereas the TWDB is proposing to increase the marketability and demand for the CWSRF program by pursuing the use of extended loan terms beyond the authorized 20-year term to a 30-year term;

Whereas the TWDB developed a State Revolving Fund Information Management System to satisfy the need for more timely and accurate information on the status of water and wastewater loan projects as those projects move through the phases of the preapplication process and beyond;

Whereas the TWDB has actively encouraged asset management as evidenced by its creation of a Best Management Practices Guide for water conservation;

Whereas the TWDB established direct authority and responsibility for the coordination of the CWSRF program by creating State Revolving Fund Coordinator positions;

Whereas the TWDB’s Intended Use Plan Post-Mortem Review was lauded for identifying various activities that will be used in improving future CWSRF Intended Use Plan development processes;

Whereas the TWDB holds interoffice planning meetings that serve as monthly forums to provide for interoffice discussion on State Revolving Fund policies, procedures and processes, and deadlines;

Whereas the TWDB assigned cross-functional, multidisciplinary teams to manage project performance review from application phase through construction, and these teams are responsible for identifying and developing solutions to project circumstances that may cause a project to fall behind its schedule; and

Whereas the TWDB was also noted for its outstanding regional water planning activities, best management practices in the areas of nonpoint source pollution funding, instream flow program, work with the United States Army Corps of Engineers to amend the Federal water resources development legislation to further enhance its watershed approach, funding of water reuse projects, agricultural and municipal water conservation projects, and water conservation education activities: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) honors the Texas Water Development Board on its selection by the Environmental Protection Agency as a 2007 Performance and Innovation in the SRF Creating Environmental Success (PISCES) Award recipient; and

(2) recognizes the importance of adequate investment and management of water resources in sustainable development, including environmental integrity and human health and overall quality of life in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

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GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5

legislative days in which to revise and extend their remarks and to include extraneous materials on H. Res. 832.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

The Texas Water Development Board was created in 1957 with the mission “to provide leadership, planning, financial assistance, information and education for the conservation and responsible development of water for Texas.” Additionally, the Texas Water Development Board provides water planning, data collection and dissemination, financial assistance, and technical assistance services to the citizens of the State.

The Texas Water Development Board was selected this past November as a recipient of the Environmental Protection Agency’s 2007 Performance and Innovation in the Clean Water State Revolving Fund Creating Environmental Success Award at the Council of Infrastructure Financing Authorities annual conference in Denver, Colorado.

Mr. Speaker, this is extraordinary for Texas because normally we get on the other end of things of this sort. But the Texas Water Development Board provides loans and grants to local governments and entities for various projects.

The financial assistance programs are funded through State-backed bonds, a combination of State bond proceeds and Federal grant funds, or limited appropriated funds.

To date, the Texas Water Development Board has successfully awarded communities approximately \$4.3 billion in low-interest loans to finance 472 water infrastructure projects across the State of Texas.

The State of Texas currently administers the second largest Clean Water State Revolving Fund in the Nation, second only to New York. In 2007 alone, the Texas Water Development Board made 32 loan commitments through the Clean Water State Revolving Fund, for a total of \$692 million.

Of the 32 total commitments made out of the Clean Water State Revolving Fund in 2007, approximately 8 percent of the funds were committed to disadvantaged communities, and 10 percent were committed to small communities with populations consisting of less than 10,000 residents.

The Texas Water Development Board is working with the EPA to strengthen the program, including the ability to offer extended term financing up to 30 years to help communities that may need more time to repay the loan. Additionally, the Clean Water State Revolving Fund program is being proactively marketed to ensure that all Texas communities are aware of the benefits offered by this program. And, Mr. Speaker, I am delighted to be able to honor such a vital organization in the State of Texas. It’s sometimes a rare occasion.

The Texas Water Development Board is recognized as a leader in the State water planning and water-related infrastructure financing. I would like to thank my colleagues from the Texas delegation for joining me in this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the resolution before us, House Resolution 832, recognizes the Texas Water Development Board on its selection as the 2007 recipient of the Environmental Protection Agency's Performance and Innovation in the State Revolving Fund Creating Environmental Success Award. This award is given to one State in each of the 10 different EPA regions and highlights successfully designed projects that further the goal of clean water.

The Texas Water Development Board was created in 1957 to provide leadership, planning, financial assistance, information and education for the conservation and responsible development of water for Texas. Its mission is a vital part of Texas' overall vision, mission, and goals related to maintaining the State's natural resources, health, and its economic development.

To accomplish its goals for the State's water resources and for providing the portable water and wastewater services, the Texas Water Development Board provides water planning, data collection and dissemination, financial assistance, and technical assistance services to the citizens of the State of Texas.

The tremendous population growth that the State has had and will continue to experience and the continual threat of severe drought only intensify the need for the Texas Water Development Board to accomplish its goals in an effective and efficient manner.

The Clean Water Act State Revolving Loan Fund in Texas has awarded communities more than \$4 billion in low-interest loans to finance 472 water infrastructure projects across the State of Texas. These projects serve approximately one-half of the population of that State, treat about 2 billion gallons per day of wastewater, and provide direct environmental and public health benefits to Texans at large.

In Texas, the Northwest Water Reuse Initiative consists of a \$10.7 million project in El Paso County to deliver treated wastewater for reuse to agricultural, commercial, industrial and residential users from El Paso's Northwest Wastewater Treatment Plant.

Texas also financed a wastewater reclamation initiative to deliver reclaimed water from the city of Austin's Walnut Creek Wastewater Treatment Plant, the first step in the city's development of a transmission and distribution service, serving customers with reclaimed water.

This resolution recognizes the importance of Federal-State partnerships in addressing water resources needs in the

United States, and specifically the effective and efficient manner in which the State of Texas is managing its State Revolving Loan Fund program.

I encourage all Members to support this project.

Mr. PETRI. Mr. Speaker, H. Res. 832 recognizes the Texas Water Development Board on its selection as a 2007 recipient of the Environmental Protection Agency's Performance and Innovation in the State Revolving Fund Creating Environmental Success Award. (PISCES)

This award is given to one State in each of the ten different EPA regions and highlights successfully designed projects that further the goal of clean water.

The Texas Water Development Board (TWDB) was created in 1957 to provide leadership, planning, financial assistance, information, and education for the conservation and responsible development of water for Texas. Its mission is a vital part of Texas' overall vision, mission, and goals related to maintaining the State's natural resources, health and economic development.

To accomplish its goals for the State's water resources and for providing affordable water and wastewater services, the Texas Water Development Board provides water planning, data collection and dissemination, financial assistance and technical assistance services to the citizens of Texas.

The tremendous population growth that the State of Texas has and will continue to experience, and the continual threat of severe drought, only intensify the need for the Texas Water Development Board to accomplish its goals in an effective and efficient manner.

The Clean Water Act State Revolving Loan Fund in Texas has awarded communities more than \$4 billion in low-interest loans to finance 472 water infrastructure projects across the State of Texas.

These projects serve approximately one-half of the population of Texas, treat about 2 billion gallons per day of wastewater, and provide direct environmental and public health benefits to Texans at large.

In Texas, the Northwest Water Reuse Initiative consisted of a \$10.7 million project in El Paso County to deliver treated wastewater for reuse to agricultural, commercial, industrial, and residential users from El Paso's Northwest Wastewater Treatment Plant.

Texas also financed a wastewater reclamation initiative to deliver reclaimed water from the City of Austin's Walnut Creek Wastewater Treatment Plant, the first step in the city's development of a transmission and distribution system serving customers with reclaimed water.

This resolution recognizes the importance of Federal-State partnerships in addressing water resources needs in the United States and specifically the effective and efficient manner in which the State of Texas is managing its State Revolving Loan Fund Program.

I encourage all Members to support the legislation.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H. Res. 832, honoring the Texas Water Development Board on its selection as a 2007 recipient of the Environmental Protection Agency's Performance and Innovation in the State Revolving Fund ("SRF") Creating Environmental Success Award. This resolution was introduced by my colleague from Texas (Ms.

JOHNSON), who is Chairwoman of the Subcommittee on Water Resources and Environment of the Committee on Transportation and Infrastructure.

In 2005, to recognize outstanding successes of the States' Clean Water State Revolving Fund programs, the Performance and Innovation in the SRF Creating Environmental Success Awards, or the "PISCES" awards, were created. The Awards recognize successfully designed projects or organizations that utilize exceptional planning, management, and financing to further the goals of clean and safe water for our citizens.

The PISCES award, which is biennially bestowed on one State entity per region, is an attempt to reward innovation and stewardship in meeting the Clean Water and wastewater needs of the Nation.

In 2007, the Region 6 recipient of this award was the Texas Water Development Board.

However, I would be remiss if I failed to also recognize the Region 5 award winner—Minnesota's Agricultural Best Management Practices Loan Program, operated by the Minnesota Department of Agriculture through funds and assistance obtained through the Minnesota Public Finance Authority.

The Texas Water Development Board has managed its funds exceptionally, awarding communities more than \$4 billion in loans to finance more than 450 water infrastructure projects across the state. These projects help Texas treat more than two billion gallons of wastewater per day, resulting in significant environmental and health benefits.

The Board has also been an active partner with the Committee and Subcommittee on Water Resources and Environment—twice testifying before the Committee on issues ranging from the enormous nationwide need for wastewater infrastructure investment to the long-term stewardship of water resource measures through thoughtful, statewide watershed planning.

I support this resolution honoring Texas' water and environmental management, and urge my colleagues to agree to the resolution.

Mr. PETRI. Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I simply want to ask everyone to support the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON of Texas) that the House suspend the rules and agree to the resolution, H. Res. 832, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read:

"Honoring the Texas Water Development Board on its selection as a 2007 recipient of the Environmental Protection Agency's Performance and Innovation in the SRF Creating Environmental Success Award".

A motion to reconsider was laid on the table.



COMMENDING LOUISIANA STATE UNIVERSITY TIGERS FOOTBALL TEAM FOR WINNING 2007 BOWL CHAMPIONSHIP SERIES NATIONAL CHAMPIONSHIP GAME

Mr. ALTMIRE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 933) commending the Louisiana State University Tigers football team for winning the 2007 Bowl Championship Series national championship game, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 933

Whereas the Louisiana State University Tigers football team won the 2007 Bowl Championship Series national championship game, defeating the Ohio State University by a score of 38 to 24 at the Louisiana Superdome in New Orleans, Louisiana, on January 7, 2008;

Whereas the Louisiana State University football team won the Southeastern Conference Championship, on December 1, 2007, defeating the University of Tennessee by a score of 21 to 14 in the Southeastern Conference championship game at the Georgia Dome in Atlanta, Georgia;

Whereas the Louisiana State University football team won 12 games during the 2007 season;

Whereas the Louisiana State University football team won 7 games against nationally ranked opponents during the 2007 season;

Whereas the Louisiana State University football team set a total of 12 offensive school records during the 2007 season including 541 points scored, averaging 38.6 points per game and 6,152 yards in total offense;

Whereas Craig Steltz was named first-team All-American and led the Southeastern Conference in interceptions;

Whereas defensive tackle Glenn Dorsey was awarded the Bronko Nagurski Trophy, the Rotary Lombardi Trophy, the Outland Trophy, and the Ronnie Lott Trophy making him the most honored defensive player in Louisiana State University history;

Whereas quarterback Matt Flynn threw 21 touchdown passes during the 2007 season, including a career-high record of four touchdowns in the Bowl Championship Series national championship game;

Whereas running back Jacob Hester rushed for 1,103 yards during the 2007 season, scoring 12 touchdowns, and completed his collegiate football career of 363 carries without fumbling or turning over the football;

Whereas Louisiana State University head coach Les Miles has led the Tiger football program to 34 wins, 20 Southeastern Conference victories, 15 wins over nationally ranked opponents, and three double-digit win seasons as head coach; and

Whereas Louisiana State University is the first team to win two Bowl Championship Series national championship titles, having won two titles in 5 years: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) commends the Louisiana State University Tigers football team for winning the 2007 Bowl Championship Series national championship game;

(2) recognizes the achievements of all the players, coaches, and support staff who were instrumental in helping the Louisiana State University football team during the 2007 football season;

(3) congratulates the citizens of Louisiana, the Louisiana State University community and fans of Tiger football; and

(4) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to Louisiana State University for appropriate display and distribution to the coaches and members of the 2007 Louisiana State University football team.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. ALTMIRE) and the gentleman from Louisiana (Mr. BOUSTANY) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. ALTMIRE. Mr. Speaker, I request 5 legislative days during which Members may insert additional material relevant to H. Res. 933 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ALTMIRE. I yield myself such time as I may consume.

(Mr. ALTMIRE asked and was given permission to revise and extend his remarks.)

Mr. ALTMIRE. Mr. Speaker, I rise today to commend the Louisiana State University Tigers football team on winning the 2007 Bowl Championship Series national championship game, and to congratulate the players, coaches, and LSU fans on a tremendous 2007 football season.

On January 7, 2008, the LSU Tigers took on the Ohio State University Buckeyes in a newly reopened Louisiana Superdome in New Orleans. The 2007 BCS national championship game was a treat for fans all over the Nation, and a celebratory moment for New Orleans as the Superdome observed its return to hosting big events after the destruction caused by Hurricane Katrina. And it was quite a celebration as the Tigers defeated the Buckeyes 38-24.

Ohio State got off to a 10-0 start, but LSU never backed down and went on to score 31 unanswered points. Led by game captains quarterback Matt Flynn, safety Craig Steltz, fullback Jacob Hester, punter Patrick Fisher and defensive tackle Glen Dorsey, the Tigers proved that they deserved to play in the championship game.

This Tigers team played with extraordinary heart all season. In 2007, LSU beat seven nationally ranked teams, and their only two losses each came in triple overtime games. A very talented senior class created a sense of urgency throughout their leadership, and the rest of the team never stopped playing with heart throughout this record-setting season.

Defensive tackle Glen Dorsey won four prestigious awards, including the Lombardi Trophy, and has been a model player off the field as well by encouraging young people to “dream big” this year. Quarterback Matt Flynn threw 21 touchdown passes this season and had a career high of four touch-

down passes during the championship game. Finally, Jacob Hester rushed for 1,103 yards and scored 12 touchdowns during the 2007 season. This was truly a multi-talented team.

I want to extend my congratulations to Coach Les Miles and the rest of the LSU coaching staff. The players and staff have come together to create a preeminent football program with a record two BCS titles in just the past 5 years.

In his tenure as head coach at LSU, Miles has led his team to three bowl victories and an impressive 34-6 record. Congratulations are also in order for the dedicated State and university community. The avid Tiger fans have supported their team all season and helped to set a Superdome record of 79,651 people in attendance for the BCS championship game.

In the words of former Governor Kathleen Blanco, the Tigers “embodied Louisiana’s fighting spirit.” The entire State deserves to celebrate this title and begin to look forward to the 2008 season.

Mr. Speaker, once again, I congratulate the Louisiana State University Tigers football team, and I urge my colleagues to pass this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 933, commending the Louisiana State University Fighting Tigers football team for winning the Bowl Champion Series national title game.

I would like to first thank my good friend, the dean of our Louisiana delegation, RICHARD BAKER, for sponsoring the resolution, as well as Chairman MILLER and Ranking Member MCKEON of the Education and Labor Committee for bringing it to the floor.

On January 7, the LSU Tigers overcame an early first-half deficit of 10-0 to defeat the Ohio State University Buckeyes by a score of 38-24 in New Orleans. This was the second time the Tigers have won a BCS title in the Louisiana Superdome. The Tigers were led by the game’s offensive MVP, senior quarterback Matt Flynn, who threw four touchdown passes, and defensive MVP, sophomore defensive end Ricky Jean-Francois, who blocked a field goal and had six total tackles and a half sack. This is the second year in a row that a Southeastern Conference team, arguably the most dominant conference in college football today, has beaten Ohio State to win the BCS national title.

Since the birth of the Bowl Championship Series in 1998, LSU is the first team to win two BCS national championship titles.

□ 1500

Led by seniors Matt Flynn, Jacob Hester, Ali Highsmith, Chevis Jackson, Jonathan Zenon, Craig Steltz, and Glenn Dorsey, the Tigers won 12 games

during the 2007 season. Seven games were won against nationally ranked opponents, as well as seven games against conference opponents, including the University of Tennessee Volunteers in the Southeastern Conference championship game by a score of 21–14.

Since his first season as LSU head coach in 2005, Les Miles has fearlessly led the Tiger football program to 34 overall wins, 20 SEC victories, and 14 wins over nationally ranked opponents. He has brought the Tigers to two SEC championship games, three consecutive bowl wins, two of which were BCS games, and one BCS national championship. Coach Miles has also had three consecutive double-digit win seasons, a school record. And he's clearly well known for the fourth and short conversions. He's fearless as a leader.

We must not also forget that, foremost, these student athletes perform just as hard in the classroom as they do on the football field. Coach Miles insists that his first goal for his team is a 100 percent graduation rate. And I'm proud to say that 14 members of this national championship football team were placed on the 2007 SEC Fall Academic Honor Roll.

The 2007 Tigers fought through great adversity, thanks to a grueling schedule, injuries, and conference losses, to secure their place in the national championship game against Ohio State. This championship is very special to the LSU system and to my great State of Louisiana. And it's my honor to recognize Coach Les Miles and the 2007 LSU Tiger football team for all its great accomplishments this season and for bringing home the BCS crystal ball.

Geaux Tigers.

I ask my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. ALTMIRE. Mr. Speaker, there is no greater fan of the LSU Tigers than Mr. MELANCON from Louisiana, and I yield him such time as he may consume to speak about this championship for the LSU football team.

Mr. MELANCON. I thank my colleague very much for yielding.

Mr. Speaker, I would like to associate myself with Mr. BOUSTANY's remarks. Of course most people from most States are very proud when their colleges become the national champion, and particularly in this past year I have had conversations over the last several days with friends about the Presidential election and the analogy is it's almost the same as the NCAA season of who's going to be first and second in any given week.

But at the end of the day, LSU rose to the occasion. They had a very successful year, a very successful and accomplished coach in Les Miles to take them where they did go, having beat No. 9 ranked Virginia Tech. Then, unfortunately, in overtime, losing to 17th ranked Kentucky and then the unranked Arkansas Razorbacks, which

I caught a little grief from those guys that are from the Arkansas delegation. But in the end, it was worth all that occurred.

My wife went to a small university where when the coach makes the team a winning team and gets into the national rankings, somebody usually steals them, pays them more money and moves them on. Fortunately, for us at LSU, I think we have the stature and a nature that we can keep our coach and continue to bring the talent to the university to go forward over the next couple of years, or into the future, for that matter.

But I would like to commend LSU for the great win in the BCS bowl, for being number one. I would like to commend the SEC. I believe that the SEC is probably the number one conference in the country. Maybe some of our colleagues would disagree with us, but at the same time, until they prove that they can win two BCS games in the short history of the BCS bowl, then we will take that gauntlet and we will run forward.

And as Mr. BOUSTANY said, Geaux Tigers.

Mr. BOUSTANY. Mr. Speaker, I appreciate my colleague from Louisiana's remarks and associate myself with them as well.

As an alumni of the LSU Medical School, I want to thank two members of my staff, both of whom were LSU graduates, Ryan Evans and Michael Hare, who helped me prepare my remarks for today. And I want to thank them and congratulate them on their work.

Mr. Speaker, I yield such time as he may consume to my friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, it may seem a little unusual for a Member from Texas to stand in tribute to Louisiana State University, but I do. I take off my hat and hair in tribute to the Louisiana State University Tigers and also to the relationship that Texas and Louisiana have shared. Through the years, Louisiana has helped Texas. After Katrina, Texans were proud to assist Louisiana. When we heard that Louisiana State University needed a quarterback, then my hometown, Tyler, Texas, was proud to yield one of its best, Matt Flynn, to LSU to help them in their time of need.

I watched Matt Flynn play high school football 4 years there at Robert E. Lee High School in Tyler, and we are so proud of Matt. He comes from good lineage. His dad, Alvin Flynn, played quarterback for Baylor University. His mother was the director for many years of the Tyler Junior College Apache Belles and took them to national fame. And Alvin did take a lot of flak because his son didn't follow his footsteps and play quarterback at Baylor University, but such is the nature of Texans and East Texans. When they see someone in need, as they saw LSU, it was their heart-rending desire to help them and to send them our best, Matt Flynn.

So congratulations to LSU. We're proud of Matt Flynn, and we're proud of what the Tigers did in making actually the whole Nation proud.

Mr. BOUSTANY. Mr. Speaker, I just want to thank my colleague from Texas for his remarks and thank him for sending Matt Flynn over to LSU. But I want to remind him that Jim Bowie shed blood at the Alamo for Texas. He's a very famous Louisianian from my district, my neck of the woods, and since he sacrificed so much, I would ask my colleague to keep sending plenty more quarterbacks over to Louisiana. We'll take them.

Mr. Speaker, I yield back the balance of my time.

Mr. ALTMIRE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. ALTMIRE) that the House suspend the rules and agree to the resolution, H. Res. 933, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ALTMIRE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### COMMENDING THE WEST VIRGINIA UNIVERSITY MOUNTAINEER FOOTBALL TEAM FOR WINNING THE 2008 TOSTITOS FIESTA BOWL

Mr. ALTMIRE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 938) commending the West Virginia University Mountaineer football team for exemplifying the pride, determination, and spirit of the Mountain State and overcoming adversity with skill, commitment, and teamwork to win the 2008 Tostitos Fiesta Bowl, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 938

Whereas the West Virginia University Mountaineer football team won the 2008 Tostitos Fiesta Bowl, defeating the University of Oklahoma Sooners by a score of 48 to 28 in Glendale, Arizona, on January 2, 2008;

Whereas the Mountaineer football team has been a source of great pride for West Virginians throughout the years;

Whereas the people of West Virginia take their team's triumphs and setbacks as their own, in times of hardship and prosperity;

Whereas the Mountaineers displayed uncommon intensity and determination in preparing for the challenge of meeting one of the best teams in the country in the Tostitos Fiesta Bowl;

Whereas the Mountaineers executed an almost flawless game;

Whereas then-assistant coach Bill Stewart demonstrated true leadership and coaching

skill by filling an unexpected coaching void, instilling confidence in his team, and leading them to victory, earning the admiration and gratitude of his fellow West Virginians;

Whereas the Fiesta Bowl Most Valuable Player on offense, Mountaineer quarterback Pat White, gave a brilliant running and passing performance that inspired his teammates, delighted his fans, and frustrated his opponents;

Whereas the Fiesta Bowl Most Valuable Player on defense, Mountaineer linebacker and native West Virginian Reed Williams, led his teammates in an outstanding defensive performance;

Whereas Mountaineer senior fullback Owen Schmitt, through his steady play and gracious post-game words of victory, displayed the best qualities of team play and sportsmanship;

Whereas Mountaineer receiver Tito Gonzales demonstrated outstanding play with a 79-yard touchdown pass and showed a national television audience how important Mountaineer success was to his team and his State;

Whereas Mountaineer freshman tailback Noel Devine gave a spirited and skillful performance worthy of his injured teammate and mentor, record-breaking tailback Steve Slaton;

Whereas the Mountaineers' offensive line dominated the battle in the trenches, making possible the outstanding performances of White, Devine, Schmitt, receiver Darius Reynaud, kicker Pat McAfee, and the other offensive stars of the day;

Whereas the Mountaineers' attacking defense forced the Sooner offense to yield the field time and again;

Whereas the Mountaineers finished among the top 10 in college football rankings for 3 years in a row;

Whereas Mountaineer athletic director Ed Pastilong has instilled in the athletic department of West Virginia University the highest standards of ethics and performance throughout his many years of leadership; and

Whereas the Mountaineers and their new head coach Bill Stewart have brought great honor to themselves, their university, and the State of West Virginia: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) congratulates the West Virginia University Mountaineer football team for winning the 2008 Tostitos Fiesta Bowl; and

(2) commends the team for demonstrating throughout the season the best qualities of teamwork, dedication, and sportsmanship.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. ALTMIRE) and the gentleman from Louisiana (Mr. BOUSTANY) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. ALTMIRE. Mr. Speaker, I request 5 legislative days during which Members may insert material relevant to H. Res. 938 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ALTMIRE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ALTMIRE asked and was given permission to revise and extend his remarks.)

Mr. ALTMIRE. Today I rise to congratulate the West Virginia University Mountaineers for their amazing win in the 2008 Fiesta Bowl.

Four short weeks ago, West Virginia University captured its third consecutive bowl victory and cemented their third consecutive top 10 finish. They defeated the University of Oklahoma Sooners 48-28. College football fans throughout the Nation were treated to an exceptional college football game.

I want to extend my congratulations to West Virginia head coach Bill Stewart, athletic director Ed Pastilong, West Virginia University president Mike Garrison, and West Virginia's student athletes for winning the Fiesta Bowl.

I also want to extend my congratulations to the Oklahoma Sooners and their student athletes for a great season. Oklahoma won the Big 12 championship game and had an 11-2 regular season record.

The WVU Mountaineers were pregame underdogs against No. 3 ranked Oklahoma, whose defense had previously allowed only 92 yards a game. The exceptional play of Mountaineer quarterback Pat White, the Fiesta Bowl offensive MVP, helped the Mountaineers produce 525 yards of total offense. Reed Williams, the Mountaineer linebacker and Fiesta Bowl defensive MVP, helped his teammates hold the Sooners to only six points in the first half and a total of 28 points for the game.

Mr. Speaker, once again I congratulate the West Virginia Mountaineers for their success.

Mr. Speaker, I reserve the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 938, commending the West Virginia University Mountaineer football team for exemplifying the pride, determination, and spirit of the Mountain State and overcoming adversity with skill, commitment, and teamwork to win the 2008 Tostitos Fiesta Bowl.

Throughout the years, the Mountaineer football team has been a source of great pride for West Virginians, and this past year proved no different. On January 2, 2008, the West Virginia University Mountaineer football team won the Tostitos Fiesta Bowl, defeating the University of Oklahoma Sooners by a score of 48-28 in Glendale, Arizona.

After what could have been a team demoralizing loss of head coach Rich Rodriguez, then assistant coach Bill Stewart stepped up to demonstrate true leadership and coaching skill by instilling confidence in his team and leading them to victory, earning the admiration and gratitude of his fellow West Virginians.

Mountaineer quarterback Pat White gave a dazzling running and passing performance that inspired his teammates, delighted WVU fans, frustrated his opponents, and earned him offensive MVP honors. Defensive honors

went to Mountaineer linebacker and native West Virginian Reed Williams, who led his team in an outstanding defensive performance.

With the conclusion of an impressive 11-2 season, the Mountaineers finished among the top 10 in college football rankings for a third consecutive year, and with their new head coach Bill Stewart, brought great honor to themselves, their university, and the State of West Virginia.

High marks should also be given to athletic director Ed Pastilong, who, over his 19-year career, has instilled the athletic department of West Virginia University with the highest standards of ethics and performance. We should also recognize WVU president Mike Garrison for his leadership. WVU is committed to changing lives and providing opportunities to all through education, building knowledge through research, and serving the people of West Virginia through economic development and health care.

I extend my congratulations to head coach Bill Stewart and all the hard-working players, the fans, and to West Virginia University. I'm happy to join my good friend and colleague Representative MOLLOHAN in honoring this exceptional team and all of its accomplishments and wish all involved continued success. And I ask my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. ALTMIRE. Mr. Speaker, we have a colleague who represents Morgantown, West Virginia, with us, Mr. MOLLOHAN, and I know there is no greater fan of the West Virginia Mountaineers than he. I am sure he is justifiably proud; so I will yield him such time as he may consume.

Mr. MOLLOHAN. I want to thank both my colleagues for their very kind, gracious remarks about West Virginia University and the game that we speak of today, particularly the Fiesta Bowl game.

Mr. Speaker, I rise today in support of H. Res. 938, congratulating the West Virginia University Mountaineer football team for its recent outstanding Fiesta Bowl victory.

The Mountaineers' regular season closed with an unexpected and a bit demoralizing loss that ended the team's bid for a national championship. As a further complication, as has been pointed out by my colleagues, the team began preparation for the Fiesta Bowl without its head coach, who left suddenly for another opportunity. WVU consequently was branded the underdog for the Fiesta Bowl appearance.

But these young men and the able interim head coach, who is now the permanent head coach, who stepped into the void were steady, they were confident, and they were prepared to pursue a game plan unaffected by the swirling controversies and the many media pundits who predicted defeat.

□ 1515

Mr. Speaker, seeing that team demonstrate grit, skill, and determination,

as described by my colleagues, to silence its critics, while overcoming challenges, reminds us of the potential for accomplishment that resides in us all. I hope all of my colleagues will join me in supporting H. Res. 938, as it offers a "well done" to a team that set a high bar for accomplishment, focus, and determination.

Mr. BOUSTANY. Mr. Speaker, I am pleased to yield such time as she may consume to my colleague, the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I'd like to thank the gentleman for yielding me time. I would like to thank my colleague from West Virginia (Mr. MOLLOHAN) for offering this resolution and including me as one of the cosponsors.

We are very prideful Mountaineers. As we have heard, our West Virginia Mountaineers football team is something that everyone in the State takes great pride. The Tostitos Fiesta Bowl win was not only an athletic win, but it was a morale-lifting win for everybody in the State of West Virginia. The Oklahoma Sooners are a powerful team, and I congratulate them for their effort. But when mind and body of a Mountaineer gets together, there's hardly any stopping us. I think that is what we found at the game. The team always tries to embody the spirit of the Mountain State, and it is a shining light for the people of West Virginia. The fans, the coaches, the university, the president, the athletic director, and I have to mention the pride of West Virginia, our Mountaineers marching band, are something that I know took our teammates into a very difficult athletic and emotional situation at the Tostitos Fiesta Bowl.

I also want to congratulate the MVPs, Pat White and Reed Williams. Reed Williams is a native West Virginian. He's from Moorefield, West Virginia. He was valedictorian of his high school class. He is the true embodiment of a student athlete.

We have a saying in West Virginia that we like to say whenever we have a great victory, and that is, as we say in West Virginia, "It's a great day to be a Mountaineer." It certainly was on the day that West Virginia won the Tostitos Fiesta Bowl in Arizona.

Mr. BOUSTANY. Mr. Speaker, I yield back the balance of my time.

Mr. ALTMIRE. Mr. Speaker, just to tie this whole thing together, we have just celebrated the LSU Tigers' national championship and West Virginia's championship in the Tostitos Fiesta Bowl. As a Member from western Pennsylvania, I would like to take a brief moment and remind my colleagues of the role the University of Pittsburgh played in this whole scenario, because were it not for the improbable upset that the University of Pittsburgh was able to pull off on the last game of the regular season, we may have been doing these in a little bit different order than we were today. So I congratulate West Virginia and

LSU. But I did want to put in that plug as well.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. ALTMIRE) that the House suspend the rules and agree to the resolution, H. Res. 938, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 18 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1700

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BUTTERFIELD) at 5 p.m.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1528, NEW ENGLAND NATIONAL SCENIC TRAIL DESIGNATION ACT

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110-519) on the resolution (H. Res. 940) providing for consideration of the bill (H.R. 1528) to amend the National Trails System Act to designate the New England National Scenic Trail, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. SLAUGHTER, from the Committee on Rules, submitted a privileged report (Rept. No. 110-520) on the resolution (H. Res. 941) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 2110, by the yeas and nays;

H.R. 4140, by the yeas and nays.

The vote on H. Res. 933 will be taken tomorrow.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

## LARRY S. PIERCE POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the Senate bill, S. 2110, on which the yeas and nays were ordered.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 2110.

The vote was taken by electronic device, and there were—yeas 388, nays 0, not voting 42, as follows:

[Roll No. 23]

YEAS—388

Abercrombie	Carter	Foxx
Ackerman	Castle	Franks (AZ)
Aderholt	Castor	Frelinghuysen
Akin	Chabot	Gallegly
Alexander	Chandler	Garrett (NJ)
Allen	Clarke	Gerlach
Altmire	Clay	Giffords
Andrews	Cleaver	Gilchrest
Arcuri	Clyburn	Gillibrand
Baca	Coble	Gingrey
Bachmann	Cohen	Gohmert
Bachus	Cole (OK)	Gonzalez
Baird	Conaway	Goode
Baldwin	Conyers	Goodlatte
Barrett (SC)	Cooper	Gordon
Barrow	Costello	Granger
Bartlett (MD)	Courtney	Graves
Barton (TX)	Cramer	Green, Al
Bean	Crenshaw	Green, Gene
Becerra	Crowley	Hall (NY)
Berry	Cubin	Hall (TX)
Biggert	Cuellar	Hare
Bilbray	Culberson	Harman
Bilirakis	Cummings	Hastings (WA)
Bishop (GA)	Davis (AL)	Hayes
Bishop (NY)	Davis (CA)	Heller
Bishop (UT)	Davis (IL)	Hensarling
Blackburn	Davis (KY)	Herger
Blumenauer	Davis, David	Herseth Sandlin
Blunt	Davis, Lincoln	Higgins
Boehner	Davis, Tom	Hill
Bonner	Deal (GA)	Hinojosa
Bono Mack	DeGette	Hirono
Boozman	DeLauro	Hobson
Boren	Dent	Hodes
Boswell	Diaz-Balart, M.	Hoekstra
Boustany	Dicks	Holden
Boyd (FL)	Dingell	Holt
Boyd (KS)	Doggett	Honda
Brady (PA)	Donnelly	Hooley
Brady (TX)	Doyle	Hoyer
Braley (IA)	Drake	Hunter
Broun (GA)	Dreier	Inglis (SC)
Brown (SC)	Duncan	Inslee
Brown, Corrine	Ehlers	Israel
Brown-Waite,	Ellison	Issa
Ginny	Ellsworth	Jackson (IL)
Buchanan	Emanuel	Jackson-Lee
Burgess	Emerson	(TX)
Burton (IN)	Engel	Jefferson
Butterfield	English (PA)	Johnson (GA)
Buyer	Eshoo	Johnson (IL)
Calvert	Etheridge	Johnson, E. B.
Camp (MI)	Everett	Johnson, Sam
Campbell (CA)	Fallin	Jones (NC)
Cannon	Fattah	Jordan
Cantor	Ferguson	Kagen
Capito	Flake	Kanjorski
Capps	Forbes	Kaptur
Capuano	Fortenberry	Keller
Carnahan	Fossella	Kennedy
Carney		Kildee

Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Klein (FL)  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)  
LaHood  
Lamborn  
Lampson  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBlondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel E.  
Lynch  
Mack  
Mahoney (FL)  
Maloney (NY)  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCauley (TX)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
McNulty  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)

## NOT VOTING—42

Baker  
Berkley  
Berman  
Boucher  
Cardoza  
Costa  
DeFazio  
Diaz-Balart, L.  
Doolittle  
Edwards  
Farr  
Feeney  
Filner  
Frank (MA)

□ 1728

Ms. SHEA-PORTER changed her vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:  
Mr. FILNER. Mr. Speaker, on rollcall No. 23, I was away due to a family emergency. Had I been present, I would have voted “yea.”

## RICHARD B. ANDERSON FEDERAL BUILDING

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4140, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) that the House suspend the rules and pass the bill, H.R. 4140.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 0, not voting 42, as follows:

[Roll No. 24]

YEAS—388

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Bachmann  
Bachus  
Baird  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bean  
Beckerra  
Berry  
Biggart  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boustany  
Boyd (FL)  
Boyda (KS)  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Broun (GA)  
Brown (SC)  
Brown, Corrine  
Brown-Waite, Ginny  
Buchanan  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Carnahan  
Carney  
Carter  
Castle  
Castor  
Chabot

Chandler  
Clarke  
Coble  
Cohen  
Cole (OK)  
Conaway  
Conyers  
Cooper  
Costello  
Courtney  
Cramer  
Crenshaw  
Crowley  
Cubin  
Cuellar  
Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis, David  
Davis, Lincoln  
Davis, Tom  
Deal (GA)  
DeGette  
DeLauro  
Dent  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly  
Doyle  
Drake  
Dreier  
Duncan  
Ehlers  
Ellison  
Ellsworth  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Everett  
Fallin  
Fattah  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Fox  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gilchrest

Gillibrand  
Gingrey  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green, Al  
Green, Gene  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Higgins  
Hill  
Hinojosa  
Hirono  
Hobson  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hunter  
Inglis (SC)  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee (TX)  
Jefferson  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Jordan  
Kagen  
Kanjorski  
Kaptur  
Keller  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kleinfelder  
Kline (FL)  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)

LaHood  
Lamborn  
Lampson  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBlondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel E.  
Lynch  
Mack  
Mahoney (FL)  
Maloney (NY)  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCauley (TX)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
McNulty  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Musgrave  
Myrick

Napolitano  
Neugebauer  
Nunes  
Oberstar  
Oliver  
Ortiz  
Pascarelli  
Pastor  
Paul  
Payne  
Pearce  
Pence  
Perlmutter  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pomeroy  
Porter  
Price (GA)  
Pryce (OH)  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Reyes  
Reynolds  
Richardson  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Royce  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Salazar  
Sali  
Sanchez, Linda T.  
Sanchez, Loretta T.  
Sarbanes  
Saxton  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shays  
Shea-Porter

Sherman  
Shimkus  
Shuler  
Shuster  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Souder  
Space  
Spratt  
Stearns  
Stupak  
Sullivan  
Sutton  
Tancredo  
Tanner  
Tauscher  
Taylor  
Terry  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tierney  
Tsongas  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walberg  
Walden (OR)  
Walsh (NY)  
Walz (MN)  
Wamp  
Wasserman  
Schultz  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Weldon (FL)  
Weller  
Westmoreland  
Wexler  
Whitfield (KY)  
Wilson (NM)  
Wilson (OH)  
Wilson (SC)  
Wittman (VA)  
Wolf  
Woolsey  
Wu  
Wynn  
Yarmuth  
Young (FL)

## NOT VOTING—42

Baker  
Berkley  
Berman  
Boucher  
Burgess  
Cardoza  
Costa  
DeFazio  
Delahunt  
Diaz-Balart, L.  
Doolittle  
Edwards  
Farr  
Feeney

Filner  
Frank (MA)  
Grijalva  
Gutierrez  
Hastings (FL)  
Hinchey  
Hulshof  
Kirk  
Lantos  
Meek (FL)  
Meeks (NY)  
Miller, Gary  
Miller, George  
Nadler

Neal (MA)  
Obey  
Pallone  
Price (NC)  
Renzi  
Roskam  
Roybal-Allard  
Rush  
Simpson  
Stark  
Towns  
Turner  
Waters  
Young (AK)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain on this vote.

□ 1737

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Madam Speaker, on rollcall No. 24, I was away due to a family emergency. Had I been present, I would have voted "yea."

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet tonight in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those immediately to her left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint session by placard will not be allowed. Members may reserve their seats only by physical presence following the security sweep of the Chamber.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 5 o'clock and 38 minutes p.m.), the House stood in recess until approximately 8:35 p.m.

□ 2037

#### AFTER RECESS

The recess having expired, the House was called to order at 8 o'clock and 37 minutes p.m.

#### JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION 282 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The Speaker of the House presided.

The Majority Floor Services Chief, Mr. Barry Sullivan, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Illinois (Mr. EMANUEL);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from Maryland (Mr. VAN HOLLEN);

The gentleman from California (Mr. BECERRA);

The gentlewoman from Connecticut (Ms. DELAURO);

The gentlewoman from New York (Ms. SLAUGHTER);

The gentleman from Ohio (Mr. BOEHNER);

The gentleman from Missouri (Mr. BLUNT);

The gentleman from Florida (Mr. PUTNAM);

The gentleman from Michigan (Mr. MCCOTTER);

The gentlewoman from Texas (Ms. GRANGER);

The gentleman from Texas (Mr. CARTER);

The gentleman from Oklahoma (Mr. COLE); and

The gentleman from Virginia (Mr. CANTOR).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from New York (Mr. SCHUMER);

The Senator from Washington (Mrs. MURRAY);

The Senator from North Dakota (Mr. DORGAN);

The Senator from Michigan (Ms. STABENOW);

The Senator from Delaware (Mr. BIDEN);

The Senator from Connecticut (Mr. DODD);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Arizona (Mr. KYL);

The Senator from Tennessee (Mr. ALEXANDER);

The Senator from Texas (Mrs. HUTCHISON);

The Senator from Texas (Mr. CORNYN);

The Senator from Nevada (Mr. ENSIGN); and

The Senator from Minnesota (Mr. COLEMAN).

The Majority Floor Services Chief announced the Dean of the Diplomatic Corps, His Excellency Roble Olhaye, Ambassador from the Republic of Djibouti.

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Majority Floor Services Chief announced the Chief Justice of the

United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Majority Floor Services Chief announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 5 minutes p.m., the Majority Floor Services Chief and the Sergeant at Arms, the Honorable Wilson Livingood, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

#### THE STATE OF THE UNION ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The PRESIDENT. Madam Speaker, Vice President CHENEY, Members of Congress, distinguished guests, and fellow citizens:

Seven years have passed since I first stood before you at this rostrum. In that time, our country has been tested in ways none of us could have imagined. We have faced hard decisions about peace and war, rising competition in the world economy, and the health and welfare of our citizens. These issues call for vigorous debate, and I think it's fair to say we've answered that call. Yet history will record that amid our differences, we acted with purpose. And together we showed the world the power and resilience of American self-government.

All of us were sent to Washington to carry out the people's business. That is the purpose of this body. It is the meaning of our oath. And it remains our charge to keep.

The actions of the 110th Congress will affect the security and prosperity of our Nation long after this session has ended. In this election year, let us show our fellow Americans that we recognize our responsibilities and are determined to meet them. And let us show them that Republicans and Democrats can compete for votes and cooperate for results at the same time.

From expanding opportunity to protecting our country, we have made good progress. Yet we have unfinished business before us, and the American people expect us to get it done.

In the work ahead, we must be guided by the philosophy that made our Nation great. As Americans, we believe in



the power of individuals to determine their destiny and shape the course of history. We believe that the most reliable guide for our country is the collective wisdom of ordinary citizens. So in all we do, we must trust in the ability of free people to make wise decisions, and empower them to improve their lives and their futures.

To build a prosperous future, we must trust people with their own money and empower them to grow our economy. As we meet tonight, our economy is undergoing a period of uncertainty. America has added jobs for a record 52 straight months, but jobs are now growing at a slower pace. Wages are up, but so are prices for food and gas. Exports are rising, but the housing market has declined. And at kitchen tables across our country, there is concern about our economic future.

In the long run, Americans can be confident about our economic growth. But in the short run, we can all see that that growth is slowing. So last week, my administration reached agreement with Speaker PELOSI and Republican Leader BOEHNER on a robust growth package that includes tax relief for individuals and families and incentives for business investment. The temptation will be to load up the bill. That would delay it or derail it, and neither option is acceptable. This is a good agreement that will keep our economy growing and our people working. And this Congress must pass it as soon as possible.

We have other work to do on taxes. Unless the Congress acts, most of the tax relief we have delivered over the past 7 years will be taken away. Some in Washington argue that letting tax relief expire is not a tax increase. Try explaining that to 116 million American taxpayers who would see their taxes rise by an average of \$1,800. Others have said they would personally be happy to pay higher taxes. I welcome their enthusiasm, and I am pleased to report that the IRS accepts both checks and money orders.

Most Americans think their taxes are high enough. With all the other pressures on their finances, American families should not have to worry about the Federal Government taking a bigger bite out of their paychecks. There is only one way to eliminate this uncertainty: make the tax relief permanent. And Members of Congress should know: If any bill raising taxes reaches my desk, I will veto it.

Just as we trust Americans with their own money, we need to earn their trust by spending their tax dollars wisely. Next week, I will send you a budget that terminates or substantially reduces 151 wasteful or bloated programs totaling more than \$18 billion. The budget that I will submit will keep America on track for a surplus in 2012. American families have to balance their budgets, and so should their government.

The people's trust in their government is undermined by congressional

earmarks, special interest projects that are often snuck in at the last minute, without discussion or debate. Last year, I asked you to voluntarily cut the number and cost of earmarks in half. I also asked you to stop slipping earmarks into committee reports that never even come to a vote. Unfortunately, neither goal was met. So this time, if you send me an appropriations bill that does not cut the number and cost of earmarks in half, I will send it back to you with my veto. And tomorrow, I will issue an executive order that directs Federal agencies to ignore any future earmark that is not voted on by the Congress. If these items are truly worth funding, the Congress should debate them in the open and hold a public vote.

Our shared responsibilities extend beyond matters of taxes and spending.

On housing, we must trust Americans with the responsibility of homeownership and empower them to weather turbulent times in the housing market. My administration brought together the HOPE NOW alliance, which is helping many struggling homeowners avoid foreclosure. The Congress can help even more. Tonight I ask you to pass legislation to reform Fannie Mae and Freddie Mac, modernize the Federal Housing Administration, and allow State housing agencies to issue tax-free bonds to help homeowners refinance their mortgages. These are difficult times for many American families, and by taking these steps, we can help more of them keep their homes.

To build a future of quality health care, we must trust patients and doctors to make medical decisions and empower them with better information and better options. We share a common goal: making health care more affordable and accessible for all Americans. The best way to achieve that goal is by expanding consumer choice, not government control. So I have proposed ending the bias in the Tax Code against those who do not get their health insurance through their employer. This one reform would put private coverage within reach for millions, and I call on the Congress to pass it this year. The Congress must also expand health savings accounts, create association health plans for small businesses, promote health information technology, and confront the epidemic of junk medical lawsuits. With all these steps, we will help ensure that decisions about your medical care are made in the privacy of your doctor's office, not in the Halls of Congress.

On education, we must trust students to learn if given the chance and empower parents to demand results from our schools. In neighborhoods across our country, there are boys and girls with dreams, and a decent education is their only hope of achieving them. Six years ago, we came together to pass the No Child Left Behind Act, and today no one can deny its results. Last year, fourth and eighth graders achieved the highest math scores on

record. Reading scores are on the rise. And African American and Hispanic students posted all-time highs. Now we must work together to increase accountability, add flexibility for States and districts, reduce the number of high school dropouts, and provide extra help for struggling schools. Members of Congress, the No Child Left Behind Act is a bipartisan achievement. It is succeeding. And we owe it to America's children, their parents, and their teachers to strengthen this good law.

We must also do more to help children when their schools do not measure up. Thanks to the D.C. Opportunity Scholarships you approved, more than 2,600 of the poorest children in our Nation's capital have found new hope at a faith-based or other nonpublic school. Sadly, these schools are disappearing at an alarming rate in many of America's inner cities. So I will convene a White House summit aimed at strengthening these lifelines of learning. And to open the doors of these schools to more children, I ask you to support a new \$300 million program called Pell Grants for Kids. We have seen how Pell Grants help low-income college students realize their full potential. Together, we have expanded the size and reach of these grants. Now let's apply that same spirit to help liberate poor children trapped in failing public schools.

On trade, we must trust American workers to compete with anyone in the world and empower them by opening up new markets overseas. Today, our economic growth increasingly depends on our ability to sell American goods, crops, and services all over the world. So we are working to break down barriers to trade and investment wherever we can. We are working for a successful Doha round of trade talks, and we must complete a good agreement this year. At the same time, we are pursuing opportunities to open up new markets by passing free trade agreements.

I thank the Congress for approving a good agreement with Peru. Now I ask you to approve agreements with Colombia, Panama, and South Korea. Many products from these nations now enter America duty-free, yet many of our products face steep tariffs in their markets. These agreements will level the playing field. They will give us better access to nearly 100 million customers. And they will support good jobs for the finest workers in the world, those whose products say "Made in the USA."

These agreements also promote America's strategic interests. The first agreement that will come before you is with Colombia, a friend of America that is confronting violence and terror and fighting drug traffickers. If we fail to pass this agreement, we will embolden the purveyors of false populism in our hemisphere. So we must come together, pass this agreement, and show our neighbors in the region that democracy leads to a better life.

Trade brings better jobs, better choices, and better prices. Yet for some

Americans, trade can mean losing a job, and the Federal Government has a responsibility to help. I ask the Congress to reauthorize and reform trade adjustment assistance, so we can help these displaced workers learn new skills and find new jobs.

To build a future of energy security, we must trust in the creative genius of American researchers and entrepreneurs and empower them to pioneer a new generation of clean energy technology. Our security, our prosperity, and our environment all require reducing our dependence on oil. Last year, I asked you to pass legislation to reduce oil consumption over the next decade, and you responded. Together we should take the next steps: Let us fund new technologies that can generate coal power while capturing carbon emissions. Let us increase the use of renewable power and emissions-free nuclear power. Let us continue investing in advanced battery technology and renewable fuels to power the cars and trucks of the future. Let us create a new international clean technology fund, which will help developing nations like India and China make greater use of clean energy sources. And let us complete an international agreement that has the potential to slow, stop, and eventually reverse the growth of greenhouse gases. This agreement will be effective only if it includes commitments by every major economy and gives none a free ride. The United States is committed to strengthening our energy security and confronting global climate change. And the best way to meet these goals is for America to continue leading the way toward the development of cleaner and more energy-efficient technology.

To keep America competitive into the future, we must trust in the skill of our scientists and engineers and empower them to pursue the breakthroughs of tomorrow. Last year, the Congress passed legislation supporting the American Competitiveness Initiative, but never followed through with the funding. This funding is essential to keeping our scientific edge. So I ask the Congress to double Federal support for critical basic research in the physical sciences and ensure America remains the most dynamic Nation on Earth.

On matters of science and life, we must trust in the innovative spirit of medical researchers and empower them to discover new treatments while respecting moral boundaries. In November, we witnessed a landmark achievement when scientists discovered a way to reprogram adult skin cells to act like embryonic stem cells. This breakthrough has the potential to move us beyond the divisive debates of the past by extending the frontiers of medicine without the destruction of human life. So we are expanding funding for this type of ethical medical research. And as we explore promising avenues of research, we must also ensure that all life is treated with the dignity it de-

serves. And so I call on the Congress to pass legislation that bans unethical practices, such as the buying, selling, patenting, or cloning of human life.

On matters of justice, we must trust in the wisdom of our Founders and empower judges who understand that the Constitution means what it says. I have submitted judicial nominees who will rule by the letter of the law, not the whim of the gavel. Many of these nominees are being unfairly delayed. They are worthy of confirmation, and the Senate should give each of them a prompt up-or-down vote.

In communities across our land, we must trust in the good heart of the American people and empower them to serve their neighbors in need. Over the past 7 years, more of our fellow citizens have discovered that the pursuit of happiness leads to the path of service. Americans have volunteered in record numbers. Charitable donations are higher than ever. Faith-based groups are bringing hope to pockets of despair, with newfound support from the Federal Government. And to help guarantee equal treatment for faith-based organizations when they compete for Federal funds, I ask you to permanently extend Charitable Choice.

Tonight the armies of compassion continue the march to a new day in the gulf coast. America honors the strength and resilience of the people of this region. We reaffirm our pledge to help them build stronger and better than before. And tonight I am pleased to announce that in April we will host this year's North American Summit of Canada, Mexico, and the United States in the great City of New Orleans.

There are two other pressing challenges that I have raised repeatedly before this body, and that this body has failed to address: entitlement spending and immigration.

Every Member in this Chamber knows that spending on entitlement programs like Social Security, Medicare, and Medicaid is growing faster than we can afford. And we all know the painful choices ahead if America stays on this path: massive tax increases, sudden and drastic cuts in benefits, or crippling deficits. I have laid out proposals to reform these programs. Now I ask Members of Congress to offer your proposals and come up with a bipartisan solution to save these vital programs for our children and our grandchildren.

The other pressing challenge is immigration. America needs to secure our borders, and with your help, my administration is taking steps to do so. We are increasing worksite enforcement, we are deploying fences and advanced technologies to stop illegal crossings, we have effectively ended the policy of "catch and release" at the border, and by the end of this year, we will have doubled the number of border patrol agents. Yet we also need to acknowledge that we will never fully secure our border until we create a lawful way for foreign workers to come here and sup-

port our economy. This will take pressure off the border and allow law enforcement to concentrate on those who mean us harm. We must also find a sensible and humane way to deal with people here illegally. Illegal immigration is complicated, but it can be resolved. And it must be resolved in a way that upholds both our laws and our highest ideals.

This is the business of our Nation here at home. Yet building a prosperous future for our citizens also depends on confronting enemies abroad, and advancing liberty in troubled regions of the world.

Our foreign policy is based on a clear premise: We trust that people, when given the chance, will choose a future of freedom and peace. In the last 7 years, we have witnessed stirring moments in the history of liberty. We have seen citizens in Georgia and Ukraine stand up for their right to free and fair elections. We have seen people in Lebanon take to the streets to demand their independence. We have seen Afghans emerge from the tyranny of the Taliban to choose a new president and a new parliament. We have seen jubilant Iraqis holding up ink-stained fingers and celebrating their freedom. And these images of liberty have inspired us.

In the past 7 years, we have also seen images that have sobered us. We have watched throngs of mourners in Lebanon and Pakistan carrying the caskets of beloved leaders taken by the assassin's hand. We have seen wedding guests in blood-soaked finery staggering from a hotel in Jordan, Afghans and Iraqis blown up in mosques and markets, and trains in London and Madrid ripped apart by bombs. And on a clear September day, we saw thousands of our fellow citizens taken from us in an instant. These horrific images serve as a grim reminder: The advance of liberty is opposed by terrorists and extremists, evil men who despise freedom, despise America, and aim to subject millions to their violent rule.

Since September 11, we have taken the fight to these terrorists and extremists. We will stay on the offense, we will keep up the pressure, and we will deliver justice to our enemies.

We are engaged in the defining ideological struggle of the 21st century. The terrorists oppose every principle of humanity and decency that we hold dear. Yet in this war on terror, there is one thing we and our enemies agree on: In the long run, men and women who are free to determine their own destinies will reject terror and refuse to live in tyranny. That is why the terrorists are fighting to deny this choice to the people in Lebanon, Iraq, Afghanistan, Pakistan, and the Palestinian territories. And that is why, for the security of America and the peace of the world, we are spreading the hope of freedom.

In Afghanistan, America, our 25 NATO allies, and 15 partner nations are helping the Afghan people defend their

freedom and rebuild their country. Thanks to the courage of these military and civilian personnel, a nation that was once a safe haven for al Qaeda is now a young democracy where boys and girls are going to school, new roads and hospitals are being built, and people are looking to the future with new hope. These successes must continue, so we are adding 3,200 marines to our forces in Afghanistan, where they will fight the terrorists and train the Afghan army and police. Defeating the Taliban and al Qaeda is critical to our security, and I thank the Congress for supporting America's vital mission in Afghanistan.

In Iraq, the terrorists and extremists are fighting to deny a proud people their liberty and fighting to establish safe havens for attacks across the world. One year ago, our enemies were succeeding in their efforts to plunge Iraq into chaos. So we reviewed our strategy and changed course. We launched a surge of American forces into Iraq. And we gave our troops a new mission: Work with Iraqi forces to protect the Iraqi people, pursue the enemy in its strongholds, and deny the terrorists sanctuary anywhere in the country.

The Iraqi people quickly realized that something dramatic had happened. Those who had worried that America was preparing to abandon them instead saw tens of thousands of American forces flowing into their country. They saw our forces moving into neighborhoods, clearing out the terrorists and staying behind to ensure the enemy did not return. And they saw our troops, along with Provincial Reconstruction Teams that include Foreign Service officers, and other skilled public servants, coming in to ensure that improved security was followed by improvements in daily life. Our military and civilians in Iraq are performing with courage and distinction, and they have the gratitude of our whole Nation.

The Iraqis launched a surge of their own. In the fall of 2006, Sunni tribal leaders grew tired of al Qaeda's brutality and started a popular uprising called "The Anbar Awakening." Over the past year, similar movements have spread across the country. And today, this grassroots surge includes more than 80,000 Iraqi citizens who are fighting the terrorists. The government in Baghdad has stepped forward as well, adding more than 100,000 new Iraqi soldiers and police during the past year.

While the enemy is still dangerous and more work remains, the American and Iraqi surges have achieved results few of us could have imagined just 1 year ago:

When we met last year, many said that containing the violence was impossible. A year later, high-profile terrorist attacks are down, civilian deaths are down, and sectarian killings are down.

When we met last year, militia extremists, some armed and trained by

Iran, were wreaking havoc in large areas of Iraq. A year later, coalition and Iraqi forces have killed or captured hundreds of militia fighters. And Iraqis of all backgrounds increasingly realize that defeating these militia fighters is critical to the future of their country.

When we met last year, al Qaeda had sanctuaries in many areas of Iraq, and their leaders had just offered American forces safe passage out of the country. Today, it is al Qaeda that is searching for safe passage. They have been driven from many of the strongholds they once held, and over the past year, we have captured or killed thousands of extremists in Iraq, including hundreds of key al Qaeda leaders and operatives. Last month, Osama bin Laden released a tape in which he railed against Iraqi tribal leaders who have turned on al Qaeda and admitted that coalition forces are growing stronger in Iraq. Ladies and gentlemen, some may deny the surge is working, but among the terrorists, there is no doubt. Al Qaeda is on the run in Iraq, and this enemy will be defeated.

When we met last year, our troop levels in Iraq were on the rise. Today, because of the progress just described, we are implementing a policy of "return on success," and the surge forces we sent to Iraq are beginning to come home.

This progress is a credit to the valor of our troops and the brilliance of their commanders. This evening, I want to speak directly to our men and women on the front lines. Soldiers, sailors, airmen, marines and coast guardsmen: In the past year, you have done everything we have asked of you, and more. Our Nation is grateful for your courage. We are proud of your accomplishments. And tonight in this hallowed Chamber, with the American people as our witness, we make you a solemn pledge: In the fight ahead, you will have all you need to protect our Nation. And I ask the Congress to meet its responsibilities to these brave men and women by fully funding our troops.

Our enemies in Iraq have been hit hard. They are not yet defeated, and we can still expect tough fighting ahead. Our objective in the coming year is to sustain and build on the gains we made in 2007, while transitioning to the next phase of our strategy. American troops are shifting from leading operations, to partnering with Iraqi forces, and, eventually, to a protective overwatch mission. As part of this transition, one Army brigade combat team and one Marine Expeditionary Unit have already come home and will not be replaced. In the coming months, four additional brigades and two Marine battalions will follow suit. Taken together, this means more than 20,000 of our troops are coming home.

Any further drawdown of U.S. troops will be based on conditions in Iraq and the recommendations of our commanders. General Petraeus has warned that too fast a drawdown could result in the "disintegration of the Iraqi secu-

rity forces, al Qaeda-Iraq regaining lost ground, and a marked increase in violence." Members of Congress, having come so far and achieved so much, we must not allow this to happen.

In the coming year, we will work with Iraqi leaders as they build on the progress they are making toward political reconciliation. At the local level, Sunnis, Shia, and Kurds are beginning to come together to reclaim their communities and rebuild their lives. Progress in the provinces must be matched by progress in Baghdad. And we are seeing some encouraging signs. The national government is sharing oil revenues with the provinces. The parliament recently passed both a pension law and de-Ba'athification reform. Now they are debating a provincial powers law. The Iraqis still have a distance to travel. But after decades of dictatorship and the pain of sectarian violence, reconciliation is taking place, and the Iraqi people are taking control of their future.

The mission in Iraq has been difficult and trying for our Nation. But it is in the vital interest of the United States that we succeed. A free Iraq will deny al Qaeda a safe haven. A free Iraq will show millions across the Middle East that a future of liberty is possible. And a free Iraq will be a friend of America, a partner in fighting terror, and a source of stability in a dangerous part of the world.

By contrast, a failed Iraq would embolden extremists, strengthen Iran, and give terrorists a base from which to launch new attacks on our friends, our allies, and our homeland. The enemy has made its intentions clear. At a time when the momentum seemed to favor them, al Qaeda's top commander in Iraq declared that they will not rest until they have attacked us here in Washington. My fellow Americans, we will not rest, either. We will not rest until this enemy has been defeated. We must do the difficult work today, so that years from now people will look back and say that this generation rose to the moment, prevailed in a tough fight, and left behind a more hopeful region and a safer America.

We are also standing against the forces of extremism in the Holy Land, where we have new cause for hope. Palestinians have elected a president who recognizes that confronting terror is essential to achieving a state where his people can live in dignity and at peace with Israel. Israelis have leaders who recognize that a peaceful, democratic Palestinian state will be a source of lasting security. This month in Ramallah and Jerusalem, I assured leaders from both sides that America will do, and I will do, everything we can to help them achieve a peace agreement that defines a Palestinian state by the end of this year. The time has come for a Holy Land where a democratic Israel and a democratic Palestine live side by side in peace.

We are also standing against the forces of extremism embodied by the

regime in Tehran. Iran's rulers oppress a good and talented people. And wherever freedom advances in the Middle East, it seems the Iranian regime is there to oppose it. Iran is funding and training militia groups in Iraq, supporting Hezbollah terrorists in Lebanon, and backing Hamas' efforts to undermine peace in the Holy Land. Tehran is also developing ballistic missiles of increasing range and continues to develop its capability to enrich uranium, which could be used to create a nuclear weapon. Our message to the people of Iran is clear: We have no quarrel with you, we respect your traditions and your history, and we look forward to the day when you have your freedom. Our message to the leaders of Iran is also clear: Verifiably suspend your nuclear enrichment, so negotiations can begin. And to rejoin the community of nations, come clean about your nuclear intention and past actions, stop your oppression at home, and cease your support for terror abroad. But above all, know this: America will confront those who threaten our troops, we will stand by our allies, and we will defend our vital interests in the Persian Gulf.

On the homefront, we will continue to take every lawful and effective measure to protect our country. This is our most solemn duty. We are grateful that there has not been another attack on our soil since 9/11. This is not for a lack of desire or effort on the part of the enemy. In the past 6 years, we have stopped numerous attacks, including a plot to fly a plane into the tallest building in Los Angeles, and another to blow up passenger jets bound for America over the Atlantic. Dedicated men and women in our government toil day and night to stop the terrorists from carrying out their plans. These good citizens are saving American lives, and everyone in this Chamber owes them our thanks. And we owe them something more: We owe them the tools they need to keep our people safe.

One of the most important tools we can give them is the ability to monitor terrorist communications. To protect America, we need to know who the terrorists are talking to, what they are saying, and what they are planning. Last year, the Congress passed legislation to help us do that. Unfortunately, the Congress set the legislation to expire on February 1. This means that if you don't act by Friday, our ability to track terrorists' threats would be weakened and our citizens will be in greater danger. The Congress must ensure the flow of vital intelligence is not disrupted. The Congress must pass liability protection for companies believed to have assisted in the efforts to defend America. We have had ample time for debate. The time to act is now.

Protecting our Nation from the dangers of a new century requires more than good intelligence and a strong military. It also requires changing the conditions that breed resentment and

allow extremists to prey on despair. So America is using its influence to build a freer, more hopeful, and more compassionate world. This is a reflection of our national interest and the calling of our conscience.

America opposes genocide in Sudan. We support freedom in countries from Cuba and Zimbabwe to Belarus and Burma. America is leading the fight against global poverty, with strong education initiatives and humanitarian assistance. We have also changed the way we deliver aid by launching the Millennium Challenge Account. This program strengthens democracy, transparency, and the rule of law in developing nations, and I ask you to fully fund this important initiative.

America is leading the fight against global hunger. Today, more than half the world's food aid comes from the United States. And tonight, I ask the Congress to support an innovative proposal to provide food assistance by purchasing crops directly from farmers in the developing world, so we can build up local agriculture and help break the cycle of famine.

America is leading the fight against disease. With your help, we are working to cut by half the number of malaria-related deaths in 15 African nations. And our emergency plan for AIDS relief is treating 1.4 million people. We can bring healing and hope to many more. So I ask you to maintain the principles that have changed behavior and made this program a success. And I call on you to double our initial commitment to fighting HIV/AIDS by approving an additional \$30 billion over the next 5 years.

America is a force for hope in the world because we are a compassionate people, and some of the most compassionate Americans are those who have stepped forward to protect us. We must keep faith with all who have risked life and limb so that we might live in freedom and peace. Over the past 7 years, we have increased funding for veterans by more than 95 percent. And as we increase funding, we must also reform our veterans' system to meet the needs of a new war and a new generation. I call on the Congress to enact the reforms recommended by Senator Bob Dole and Secretary Donna Shalala, so we can improve the system of care for our wounded warriors and help them build lives of hope, promise, and dignity.

Our military families also sacrifice for America. They endure sleepless nights and the daily struggle of providing for children while a loved one is serving far from home. We have a responsibility to provide for them. So I ask you to join me in expanding their access to child care, creating new hiring preferences for military spouses across the Federal Government, and allowing our troops to transfer their unused education benefits to their spouses or children. Our military families serve our Nation, they inspire our Nation, and tonight our Nation honors them.

The secret of our strength, the miracle of America, is that our greatness lies not in our government, but in the spirit and determination of our people. When the Federal Convention met in Philadelphia in 1787, our Nation was bound by the Articles of Confederation, which began with the words, "We the undersigned delegates." When Gouverneur Morris was asked to draft the preamble to our new Constitution, he offered an important revision and opened with words that changed the course of our Nation and the history of the world: "We the people."

By trusting the people, our Founders wagered that a great and noble Nation could be built on the liberty that resides in the hearts of all men and women. By trusting the people, succeeding generations transformed our fragile young democracy into the most powerful Nation on Earth and a beacon of hope for millions. And so long as we continue to trust the people, our Nation will prosper, our liberty will be secure, and the state of our Union will remain strong. So tonight, with confidence in freedom's power, and trust in the people, let us set forth to do their business.

God bless America.

(Applause, the Members rising.)

At 10 o'clock and 5 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Majority Floor Services Chief escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet; Chief Justice of the United States and Associate Justices of the Supreme Court; the Dean of the Diplomatic Corps.

#### JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o'clock and 11 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

#### MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Ms. WATSON. Madam Speaker, I move that the message of the President be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

The motion was agreed to.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COSTA (at the request of Mr. HOYER) for today on account of a death in the family.

Ms. ROYBAL-ALLARD (at the request of Mr. HOYER) for today on account of illness.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

#### ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3432. An act to establish the Commission on the Abolition of the Transatlantic Slave Trade.

H.R. 4986. An act to provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgments against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on January 24, 2008 she presented to the President of the United States, for his approval, the following bills.

H.R. 3432. To establish the Commission on the Abolition of the Transatlantic Slave Trade.

H.R. 4986. To provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgments against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes.

#### ADJOURNMENT

Mr. COHEN. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 14 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, January 29, 2008, at 10:30 a.m., for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5120. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Common Crop Insurance Regulations; Potato Provisions (RIN: 0563-AC05) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5121. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — *Aspergillus Flavus* AF36 on Corn; Temporary Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2007-0545; FRL-8342-1] received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5122. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Etoxazole; Pesticide Tolerance [EPA-HQ-OPP-2007-0309; FRL-8342-8] received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5123. A letter from the Secretary, Department of Energy, transmitting the Department's response to the Government Accountability Office Review of the Loan Guarantee Program under Title XVII of the Energy Policy Act of 2005; to the Committee on Appropriations.

5124. A letter from the Administrator Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Thermal Standards (RIN: 0575-AC65) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5125. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Implementation of Mark-to-Market Program Revisions [Docket No. FR-4751-F-02] (RIN: 2502-AH86) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5126. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to China pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5127. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Peru pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

5128. A letter from the Secretary, Department of Education, transmitting the annual report of the National Advisory Committee on Institutional Quality and Integrity for Fiscal Year 2007, pursuant to 20 U.S.C. 1145(e); to the Committee on Education and Labor.

5129. A letter from the Secretary, Department of Health and Human Services, transmitting the twenty-seventh annual report on the implementation of the Age Discrimination Act of 1975 by departments and agencies which administer programs of Federal financial assistance, pursuant to 42 U.S.C. 6106a(b); to the Committee on Education and Labor.

5130. A letter from the Under Secretary Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule — Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Revisions in the WIC Food Packages [FNS-2006-0037] (RIN: 0584-AD77) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5131. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Measuring Educational Gains in the National Reporting System for Adult Education (RIN:1830-ZA06) received January 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5132. A letter from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Em-

ployer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

5133. A letter from the Deputy Assistant Administrator Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Issuance of Multiple Prescriptions for Schedule II Controlled Substances [Docket No. DEA-287F] (RIN: 1117-AB01) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5134. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Clean Air Interstate Rule Budget Trading Programs [EPA-R03-OAR-2007-0381; FRL-8510-3] received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5135. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; North Carolina; Redesignation of the Raleigh-Durham-Chapel Hill 8-Hour Ozone Non-attainment Area to Attainment for Ozone [EPA-R04-OAR-2007-0601-200747; FRL-8510-4] received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5136. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Iowa; Clean Air Mercury Rule [EPA-R07-OAR-2007-0655; FRL-8510-6] received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5137. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Partial Removal of Direct Final Rule and Revision of the Nonroad Diesel Technical Amendments and Tier 3 Technical Relief Provision [EPA-HQ-OAR-2007-0652; FRL-8509-9] (RIN: 2060-A037) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5138. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Extension of Global Laboratory and Analytical Use Exemption for Essential Class I Ozone-Depleting Substances [EPA-HQ-OAR-2007-0384; FRL-8510-9] (RIN: 2060-A028) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5139. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: The 2008 Critical Use Exemption From the Phaseout of Methyl Bromide [EPA-HQ-OAR-2006-1016; FRL-8510-8] (RIN: 2060-A030) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5140. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District and San Joaquin Valley Air Pollution Control District [EPA-R09-OAR-2007-1074, FRL-8509-8]

received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5141. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Continuous Emissions Monitoring Rule for the Acid Rain Program, NOx Budget Training Program, Clean Air Interstate Rule, and the Clean Air Mercury Rule. [EPA-HQ-OAR-2005-0132; FRL-8511-1] (RIN: 2060-AN16) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5142. A letter from the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2006-007, Contractor Code of Business Ethics and Conduct [FAC 2005-22; FAR Case 2006-007; Item II; Docket 2007-0001; Sequence 1] (RIN: 9000-AK67) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5143. A letter from the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2006-008, Implementation of Section 104 of the Energy Policy Act of 2005 [FAC 2005-22; FAR Case 2006-008; Item I; Docket 2006-020; Sequence 12] (RIN: 9000-AK63) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5144. A letter from the Chief Acquisition Officer, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-22; Introduction [Docket FAR-2007-0002, Sequence 7] received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

5145. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5146. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5147. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5148. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5149. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5150. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

5151. A letter from the Director, National Gallery of Art, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Gallery's report on competitive sourcing efforts for FY 2007 and 2008; to the Committee on Oversight and Government Reform.

5152. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's Performance and Accountability Report for fiscal year 2007; to the Committee on Oversight and Government Reform.

5153. A letter from the Commissioner, Social Security Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2007 through September 30, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

5154. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder Fishery; Fishing Year 2008 [Docket No. 070827484-7581-02] (RIN: 0648-AV99) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5155. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Period 2 Quota Harvested [Docket No. 060418103-6181-02] (RIN: 0648-XD92) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5156. A letter from the Assistant Administrator, Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Commercial Shark Management Measures [Docket No. 070803437-7666-02] (RIN: 0648-AV93) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5157. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Halibut in the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XE05) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

5158. A letter from the Deputy Director, Department of Defense, transmitting the Department's final rule — United States Army Restricted Area, Kuluk Bay, Adak, AK — received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5159. A letter from the Deputy Director of Civil Works, Department of Defense, transmitting the Department's final rule — Department of the Navy, Chesapeake Bay, in Vicinity of Bloodsworth Island, MD — received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5160. A letter from the Secretary, Federal Maritime Commission, Federal Maritime Commission, transmitting the Commission's final rule—Optional Method of Filing Form FMC-18, Application for a License as an Ocean Transportation Intermediary (RIN: 3072-AC32) received January 4, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5161. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting an extension of the Department's Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Certain Categories of Archaeological Material from the Region of the Niger River Valley and the Bandiagara Escarpment and the Department's Memorandum of Understanding between the United States and the Government of the Re-

public of Guatemala concerning the imposition of import restrictions on archaeological objects and material from the pre-Columbian Cultures of Guatemala, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

5162. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's update on the details of projects that will be conducted under the Medicare Hospital Gainsharing Demonstration, pursuant to Section 5007 of the Deficit Reduction Act of 2005; to the Committee on Ways and Means.

5163. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Revisit User Fee Program for Medicare Survey and Certification Activities [CMS-2278-IFC2] (RIN: 0938-AP22) received December 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 4140. A bill to designate the Port Angeles Federal Building in Port Angeles, Washington, as the "Richard B. Anderson Federal Building" (Rept. 110-515). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 845. Resolution recognizing the 60th anniversary of Everglades National Park; with an amendment (Rept. 110-516 Pt. 1). Ordered to be printed.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Resolution 832. Resolution honoring the Texas Water Development Board on its selection as a recipient of the Environmental Protection Agency's 2007 Clean Water State Revolving Fund Performance and Innovation Award (Rept. 110-517). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3913. A bill to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met (Rept. 110-518). Referred to the Committee of the Whole House on the State of the Union.

Mr. CARDOZA: Committee on Rules. House Resolution 940. Resolution providing for consideration of the bill (H.R. 1528) to amend the National Trails System Act to designate the New England National Scenic Trail, and for other purposes (Rept. 110-519). Referred to the House Calendar.

Ms. SLAUGHTER: Committee on Rules. House Resolution 941. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 110-520). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RAHALL:

H.R. 5137. A bill to ensure that hunting remains a purpose of the New River Gorge National River; to the Committee on Natural Resources.



By Ms. SHEA-PORTER:

H.R. 5138. A bill to amend title 11 of the United States Code to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems; to the Committee on the Judiciary.

By Ms. BERKLEY:

H.R. 5139. A bill to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War; to the Committee on Natural Resources.

By Ms. PELOSI (for herself, Mr. BOEHNER, Mr. HOYER, Mr. BLUNT, Mr. CLYBURN, Mr. RANGEL, Mr. MCCRERY, Mr. OBEY, Mr. FRANK of Massachusetts, Mr. BACHUS, Mr. EMANUEL, Mr. LARSON of Connecticut, Ms. GRANGER, Ms. DELAUNO, Mr. GEORGE MILLER of California, and Mr. BECERRA):

H.R. 5140. A bill to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH of Pennsylvania:

H.R. 5141. A bill to amend the Internal Revenue Code of 1986 to encourage investment in high productivity property, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania:

H.R. 5142. A bill to amend the Internal Revenue Code of 1986 to provide an economic stimulus for individuals; to the Committee on Ways and Means.

By Mr. HINOJOSA (for himself, Mr. LOEBSACK, Mr. CLAY, Mr. MOORE of Kansas, Mr. FILNER, and Mr. CASTLE):

H.R. 5143. A bill to encourage model programs to support veteran student success in postsecondary education by coordinating services to address the academic, financial, physical, and social needs of veteran students; to the Committee on Education and Labor.

By Mr. ISRAEL:

H.R. 5144. A bill to suspend temporarily the duty on lightweight digital camera lenses; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5145. A bill to suspend temporarily the duty on digital zoom camera lenses; to the Committee on Ways and Means.

By Mr. LAMPSON (for himself and Mr. EDWARDS):

H.R. 5146. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to acquire petroleum in quantities sufficient to fill the available capacity of the Strategic Petroleum Reserve, subject to certain limitations, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McDERMOTT:

H.R. 5147. A bill to suspend temporarily the duty on gaiters of textile materials; to the Committee on Ways and Means.

By Mr. NEUGEBAUER:

H.R. 5148. A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from collecting certain

debts owed to the United States by members of the Armed Forces and veterans who die as a result of an injury incurred or aggravated on active duty in a combat zone, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PETERSON of Pennsylvania:

H.R. 5149. A bill to suspend temporarily the duty on dry adhesive copolyamide pellets; to the Committee on Ways and Means.

By Mr. YARMUTH:

H.R. 5150. A bill to amend the Internal Revenue Code of 1986 to increase the child tax credit for taxable years beginning in 2008 and provide for the advance payment thereof; to the Committee on Ways and Means.

By Mr. AL GREEN of Texas (for himself, Mr. LEVIN, Ms. KAPTUR, Mr. HIGGINS, Mr. PERLMUTTER, Mr. SPRATT, Mr. DOGGETT, Mr. REYES, Mr. EDWARDS, Mr. RODRIGUEZ, Mr. ORTIZ, Mr. HONDA, Mr. BECERRA, Ms. SCHWARTZ, Ms. RICHARDSON, Mr. ELLISON, Ms. KILPATRICK, Mr. PAYNE, Ms. CLARKE, Mr. CLAY, Mr. JOHNSON of Georgia, Mr. BUTTERFIELD, Mr. MEEKS of New York, Mr. BISHOP of Georgia, Mr. VAN HOLLEN, Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, Mr. MEEK of Florida, Mr. CUMMINGS, Ms. MOORE of Wisconsin, Mr. CLEAVER, Mr. GINGREY, Mr. WYNN, Ms. CORRINE BROWN of Florida, Ms. LEE, Mr. KENNEDY, Mr. DAVIS of Alabama, Mr. GENE GREEN of Texas, Mr. LAMPSON, Mr. SALAZAR, Ms. JACKSON-LEE of Texas, Mr. FATTAH, Mr. GRIJALVA, Mrs. MALONEY of New York, Mr. WU, Mr. TOWNS, Mr. JEFFERSON, Mr. SERRANO, Mr. BRADY of Pennsylvania, Ms. LORETTA SANCHEZ of California, Mr. RANGEL, Ms. BORDALLO, Ms. WATERS, Mr. BACHUS, Ms. WASSERMAN SCHULTZ, and Mr. WATT):

H. Res. 942. A resolution recognizing the significance of Black History Month; to the Committee on Oversight and Government Reform.

By Mr. HODES (for himself, Ms. MOORE of Wisconsin, Ms. HIRONO, Mr. MAHONEY of Florida, Ms. BEAN, Mr. CROWLEY, Mr. NADLER, Mr. PERLMUTTER, Mr. CARNAHAN, Mr. MICHAUD, Mr. BUTTERFIELD, Mr. KLEIN of Florida, Ms. BERKLEY, Mr. WALZ of Minnesota, Ms. LINDA T. SANCHEZ of California, Ms. SHEA-PORTER, Mr. SHULER, Mr. AL GREEN of Texas, Mr. MURTHA, Mr. RODRIGUEZ, Mr. CLAY, Mr. WELCH of Vermont, Mrs. MALONEY of New York, Mr. ARCURI, Ms. JACKSON-LEE of Texas, Mr. SIRE, Ms. SUTTON, Mr. ALTMIRE, Mr. LEWIS of Georgia, Mr. CARNEY, Mr. KAGEN, Mr. WU, Mr. LAMPSON, Mr. ALLEN, Ms. HOOLEY, Mr. SCOTT of Georgia, Mr. HALL of New York, Mr. HILL, Mr. CLEAVER, Mr. HIGGINS, Ms. WASSERMAN SCHULTZ, Mr. DELAHUNT, Mr. CONYERS, Ms. SCHAKOWSKY, Mr. COURTNEY, Mr. WYNN, Mr. MATHESON, Mr. WEXLER, Mr. UDALL of Colorado, Mr. LOEBSACK, Mr. BRALEY of Iowa, Mr. LINCOLN DAVIS of Tennessee, Mr. DONNELLY, Mrs. CHRISTENSEN, Mr. EMANUEL, Mr. GORDON, Mr. HASTINGS of Washington, Mr. PRICE of North Carolina, Ms. DELAUNO, Mr. WILSON of Ohio, and Mr. KUCINICH):

H. Res. 943. A resolution remembering the space shuttle Challenger disaster and honoring its crew members, who lost their lives on January 28, 1986; to the Committee on Science and Technology.

By Mr. SCOTT of Georgia (for himself, Mr. THOMPSON of Mississippi, Mr. BARROW, Mr. LEWIS of Georgia, Mr. JEFFERSON, Mr. BOUSTANY, Mr. KING

of New York, Mr. LINDER, Mr. TOWNS, Mr. BISHOP of Georgia, Mrs. CHRISTENSEN, Mr. HODES, Mr. BUTTERFIELD, Ms. KILPATRICK, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. MELANCON, Mr. ALEXANDER, Mr. MCCRERY, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE, Mr. CLEAVER, Mr. CLAY, Mr. CLYBURN, Ms. WATSON, Ms. CLARKE, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Mr. ENGEL, Mrs. LOWEY, Mr. WELLER, Mr. PAYNE, Ms. HOOLEY, Mr. PASCRELL, and Mr. MCGOVERN):

H. Res. 944. A resolution honoring the service and accomplishments of Lieutenant General Russell L. Honore, United States Army, for his 37 years of service on behalf of the United States; to the Committee on Armed Services.

By Mr. POE (for himself, Mr. COSTA, Mr. HOLDEN, and Mr. MOORE of Kansas):

H. Res. 945. A resolution raising awareness and promoting education on the criminal justice system by establishing March 2008 as "National Criminal Justice Month"; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Ms. SCHAKOWSKY.  
H.R. 192: Mr. SMITH of Nebraska.  
H.R. 380: Mr. ELLISON and Mr. WILSON of South Carolina.  
H.R. 549: Mr. ALEXANDER and Ms. ESHOO.  
H.R. 690: Mr. ANDREWS.  
H.R. 769: Mr. RAMSTAD.  
H.R. 784: Mrs. LOWEY.  
H.R. 827: Mr. PAUL.  
H.R. 897: Mr. BLUMENAUER.  
H.R. 962: Mr. KUCINICH.  
H.R. 977: Ms. LINDA T. SANCHEZ of California.  
H.R. 992: Ms. LEE.  
H.R. 1043: Mr. JACKSON of Illinois.  
H.R. 1070: Mrs. CHRISTENSEN.  
H.R. 1076: Mr. WEXLER and Ms. ESHOO.  
H.R. 1078: Mr. ARCURI.  
H.R. 1110: Mr. COLE of Oklahoma.  
H.R. 1188: Mr. SMITH of Washington.  
H.R. 1198: Mr. TOM DAVIS of Virginia.  
H.R. 1279: Ms. SOLIS, Ms. ESHOO, Mr. GERLACH, and Mr. ISRAEL.  
H.R. 1293: Mr. HELLER.  
H.R. 1295: Mr. WALBERG.  
H.R. 1386: Ms. DELAUNO.  
H.R. 1554: Mr. MARSHALL.  
H.R. 1621: Mr. PATRICK MURPHY of Pennsylvania and Mr. SCOTT of Virginia.  
H.R. 1742: Mr. TIBERI.  
H.R. 1783: Mr. GENE GREEN of Texas and Mr. VAN HOLLEN.  
H.R. 1791: Mrs. BOYDA of Kansas and Mr. BISHOP of Georgia.  
H.R. 1809: Mr. BISHOP of Georgia.  
H.R. 1843: Mr. PRICE of North Carolina and Mr. HINCHEY.  
H.R. 1889: Mr. MOORE of Kansas.  
H.R. 1921: Ms. KILPATRICK.  
H.R. 1926: Mr. GOODLATTE and Mr. VAN HOLLEN.  
H.R. 1964: Mr. KENNEDY and Mr. AL GREEN of Texas.  
H.R. 2159: Mr. WALZ of Minnesota.  
H.R. 2167: Mr. BAIRD.  
H.R. 2266: Mr. FRANK of Massachusetts.  
H.R. 2303: Mr. LATTA.  
H.R. 2329: Mr. DUNCAN and Mr. PORTER.  
H.R. 2391: Mr. SESTAK.  
H.R. 2469: Mr. CULBERSON.

H.R. 2488: Mr. REYNOLDS.  
H.R. 2552: Mr. LEWIS of Georgia.  
H.R. 2708: Mr. WYNN, Mr. GEORGE MILLER of California, and Mr. BISHOP of New York.  
H.R. 2712: Mrs. DRAKE and Mr. HENSARLING.  
H.R. 2796: Mr. MCCOTTER.  
H.R. 2914: Mr. KUHLM of New York.  
H.R. 2915: Mr. FRANK of Massachusetts.  
H.R. 2928: Mr. ROTHMAN and Mr. SESTAK.  
H.R. 2933: Mr. PRICE of North Carolina.  
H.R. 2994: Mr. WEXLER.  
H.R. 3080: Mr. KLINE of Minnesota.  
H.R. 3107: Mr. ALLEN.  
H.R. 3109: Mr. LATTA.  
H.R. 3229: Mr. SESTAK, Mr. TOWNS, and Mr. LAMPSON.  
H.R. 3282: Mrs. MCCARTHY of New York and Mr. MCDERMOTT.  
H.R. 3471: Mr. WALBERG and Mr. LOBIONDO.  
H.R. 3548: Mr. HODES.  
H.R. 3559: Mr. EVERETT and Mrs. BOYDA of Kansas.  
H.R. 3652: Mr. WEXLER and Mr. DAVIS of Alabama.  
H.R. 3694: Mr. SAM JOHNSON of Texas.  
H.R. 3698: Mr. BERMAN.  
H.R. 3723: Mr. HINOJOSA.  
H.R. 3774: Mr. MORAN of Virginia.  
H.R. 3810: Mr. HIGGINS.  
H.R. 3819: Mr. RYAN of Ohio, Mr. PETERSON of Minnesota, Mrs. SCHMIDT, Ms. SUTTON, and Mr. CARNEY.  
H.R. 3899: Ms. FALLIN.  
H.R. 3934: Mrs. MCCARTHY of New York and Ms. SLAUGHTER.  
H.R. 3979: Mr. BLUMENAUER.  
H.R. 3995: Mr. MILLER of North Carolina and Mr. PLATTS.  
H.R. 4008: Mr. MCCRERY and Mrs. BIGGERT.  
H.R. 4061: Mr. AL GREEN of Texas and Mr. PAUL.  
H.R. 4066: Mr. HINCHEY, Mr. HALL of New York, Mr. PASCRELL, and Mr. ROTHMAN.  
H.R. 4102: Mr. OBERSTAR.  
H.R. 4105: Mr. ROSS, Ms. SCHAKOWSKY, Mr. BISHOP of New York, and Mr. PRICE of North Carolina.  
H.R. 4139: Mr. JOHNSON of Illinois.  
H.R. 4247: Mr. HILL.  
H.R. 4264: Mr. CRENSHAW and Mr. WEXLER.  
H.R. 4296: Mr. WEXLER and Mr. LARSON of Connecticut.  
H.R. 4297: Mrs. CAPITO.  
H.R. 4328: Mr. HONDA.  
H.R. 4332: Mr. WEXLER.  
H.R. 4461: Mrs. BOYDA of Kansas.  
H.R. 4540: Mr. GONZALEZ.  
H.R. 4691: Mr. INGLIS of South Carolina.  
H.R. 4838: Mr. PASTOR, Mr. SARBANES, and Mr. MOORE of Kansas.

H.R. 4841: Mr. KILDEE.  
H.R. 4845: Mr. FEENEY.  
H.R. 4900: Mr. SMITH of Texas and Mr. BOOZMAN.  
H.R. 4915: Mr. LATTA and Mr. MILLER of North Carolina.  
H.R. 4930: Mr. MARSHALL, Ms. BORDALLO, Mr. WAMP, Mr. BUCHANAN, and Mr. ROTHMAN.  
H.R. 4934: Mr. DINGELL, Mr. WYNN, and Ms. SUTTON.  
H.R. 4936: Mr. CASTLE, Mr. WOLF, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. WEXLER, and Mr. MOORE of Kansas.  
H.R. 4959: Mr. DEFazio, Ms. LEE, Mr. CAPUANO, Ms. JACKSON-LEE of Texas, Mrs. CAPPs, Mr. SMITH of Washington, Ms. WASSERMAN SCHULTZ, and Mr. WEXLER.  
H.R. 5035: Ms. WASSERMAN SCHULTZ and Mr. SCOTT of Georgia.  
H.R. 5038: Mr. AL GREEN of Texas and Ms. WASSERMAN SCHULTZ.  
H.R. 5058: Ms. ESHOO, Mrs. TAUSCHER, Mr. BERMAN, Mr. MCNULTY, Mr. SERRANO, Mr. MCDERMOTT, and Mr. VAN HOLLEN.  
H.R. 5069: Mr. HARE.  
H.R. 5087: Mr. EDWARDS, Mr. MILLER of Florida, Mrs. GILLIBRAND, and Ms. GIFFORDS.  
H.R. 5109: Mr. BARRETT of South Carolina, Mr. BONNER, Mr. HELLER, Mr. KING of Iowa, Mrs. MYRICK, Mr. PEARCE, Mr. POE, Mr. SALI, and Mr. WELDON of Florida.  
H.J. Res. 76: Mr. DOGGETT.  
H. Con. Res. 32: Mr. REYES, Mr. BOYD of Florida, and Mr. CONAWAY.  
H. Con. Res. 218: Mr. GARY G. MILLER of California.  
H. Con. Res. 263: Mr. BACHUS, Mr. DAVID DAVIS of Tennessee, Mr. BURTON of Indiana, Mr. CANTOR, Mr. SESSIONS, Mr. BILBRAY, Mr. BOEHNER, Mr. WITTMAN of Virginia, Mr. BLUNT, Mr. PUTNAM, Mr. PLATTS, Mr. MCKEON, Mr. COBLE, Mr. CAMP of Michigan, Mr. BOUSTANY, Mrs. BIGGERT, Mr. COLE of Oklahoma, and Mr. KELLER.  
H. Res. 76: Mr. MURTHA, Mr. KUCINICH, and Ms. MATSUI.  
H. Res. 102: Mr. LYNCH, Mr. MARKEY, and Mr. COSTELLO.  
H. Res. 111: Mrs. CAPITO.  
H. Res. 185: Mr. BISHOP of New York, Mr. RAMSTAD, and Mr. VAN HOLLEN.  
H. Res. 278: Mr. MARCHANT, Mr. SAM JOHNSON of Texas, Ms. WATSON, Mr. BOSWELL, Mr. BARTLETT of Maryland, Mrs. MCCARTHY of New York, Ms. WASSERMAN SCHULTZ, and Mr. BERMAN.  
H. Res. 351: Mr. GARY G. MILLER of California.  
H. Res. 543: Mr. KAGEN.

H. Res. 795: Mr. HINOJOSA, Mr. HIGGINS, and Ms. CLARKE.  
H. Res. 820: Ms. BORDALLO and Mr. INSLEE.  
H. Res. 858: Mr. DINGELL.  
H. Res. 883: Mrs. MALONEY of New York and Mr. WEXLER.  
H. Res. 886: Mr. CONAWAY and Mr. BARRETT of South Carolina.  
H. Res. 897: Mr. BROWN of South Carolina and Mr. PORTER.  
H. Res. 901: Mr. WEXLER.  
H. Res. 919: Mr. DAVID DAVIS of Tennessee, Mr. MCINTYRE, Mr. RAHALL, Mr. PORTER, Mr. JONES of North Carolina, and Mr. GORDON.  
H. Res. 929: Mr. HAYES.  
H. Res. 930: Mr. INSLEE, Ms. LINDA T. SANCHEZ OF CALIFORNIA, Ms. MCCOLLUM of Minnesota, and Ms. SUTTON.  
H. Res. 931: Mr. MACK, Mr. MCHENRY, Mr. DUNCAN, Mr. SIMPSON, Mr. SHUSTER, Mr. SESSIONS, Mr. CONAWAY, Ms. HARMAN, Mr. ROSKAM, Mr. HENSARLING, Mr. PUTNAM, Mr. DAVIS of Kentucky, Mr. ENGLISH of Pennsylvania, Mr. WILSON of South Carolina, Ms. WASSERMAN SCHULTZ, Mr. YOUNG of Alaska, Mrs. SCHMIDT, Mr. ADERHOLT, Mr. PICKERING, Mr. SULLIVAN, Mr. ALEXANDER, Mr. KINGSTON, Mr. CANNON, Mr. WESTMORELAND, Mr. GARRETT of New Jersey, Mr. HELLER, Mr. COBLE, Mr. CAMPBELL of California, Mr. CARTER, Mr. BOOZMAN, Mr. BURTON of Indiana, Mr. CASTLE, Ms. FALLIN, Mr. TERRY, Mr. MILLER of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. CRENSHAW, Mr. PRICE of Georgia, Ms. FOXX, Mrs. EMERSON, Mr. SHAYS, Mr. JONES of North Carolina, Mr. ROGERS of Kentucky, Mrs. CAPITO, Mr. BROWN of South Carolina, and Mr. WALBERG.  
H. Res. 939: Mrs. DRAKE, Mr. HENSARLING, and Mr. POE.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendments to be offered by Representative Bishop of Utah or a designee to H.R. 1528, the New England National Scenic Trail Designation Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 154

WASHINGTON, MONDAY, JANUARY 28, 2008

No. 13

## Senate

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the State of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God of divine love, help our Senators today to rise to the challenge of the needs of our world. Inspire them to do this by making new commitments to You, followed by faithful service. Make them strong in Your strength, that they will not become weary in doing Your will. Help them to understand that the riches of our lives and this great land have been given to us by Your loving providence.

Remind them also that to whom much is given, much is expected, and that they are accountable to You for their stewardship as they journey through life. Empower our lawmakers to use their considerable abilities to serve You and humanity.

We pray in the Name of Him who gave His life for all. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 28, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JIM WEBB, a Senator from the State of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### RENDERING PUBLIC SERVICE

Mr. REID. Mr. President, a year ago today, the Presiding Officer gave one of the classic speeches in American history as a freshman Senator responding to the State of the Union Message. It was a message that was accepted on both sides of the aisle by the people of Virginia and everyone in this country. I wish to remind the Senator what a great public service he rendered last year in giving this speech.

### SECRETARY OF AGRICULTURE

Mr. REID. We are going to try to get approved very quickly—we are cleared on this side; we are waiting to have the Republicans clear Governor Shafer to be the Secretary of Agriculture. We would like to get that done in the next little bit. After we do this, it takes the White House a number of hours to get all the paperwork in order so that he can be sworn in. It would be really nice if we could get him to attend the State of the Union Address tonight. This would be extremely good.

President Bush has nominated him. This will be the last State of the Union speech the President will give, and it would be good if he had a Secretary of Agriculture there during those proceedings. So as soon as it is cleared by the Republicans, we will clear Governor Shafer to be the Secretary of Agriculture.

### UNANIMOUS-CONSENT AGREEMENT—S. 2248

Mr. REID. Mr. President, I ask unanimous consent that the previously scheduled cloture vote on the substitute amendment occur at 4:40 p.m. today and that all provisions under the previous order remain in effect. Our staffs have talked; I am confident the Republican leader is aware of this.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

### SCHEDULE

Mr. REID. Mr. President, this afternoon the Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders.

At 3 p.m., the Senate will resume consideration of the FISA legislation. The time until 4:40 p.m. will be equally divided and controlled between the two leaders or their designees, with the final 20 minutes equally divided and controlled between the two leaders, with the majority leader controlling the final 10 minutes.

At 4:40 p.m., the Senate will proceed to vote on the motion to invoke cloture on the Rockefeller-Bond substitute amendment. If cloture is not invoked on the substitute, the Senate will then proceed to a second vote on the motion to invoke cloture on the Reid amendment to the underlying bill.

As a reminder, there is a 4 p.m. filing deadline for second-degree amendments.

At 9 p.m. tonight, the President will deliver the State of the Union Address to a joint session of Congress. Senators will gather in the Senate Chamber at 8:20 p.m. and then proceed as a body to the Hall of the House of Representatives at 8:30.

Senators are encouraged to attend the Secretary of the Senate annual

• This “buller” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S369

State of the Union supper tonight at 6:30 p.m. in S-211.

#### MEASURE PLACED ON THE CALENDAR—S. 2557

Mr. REID. Mr. President, S. 2557 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2557) to extend the Protect America Act of 2007 until July 1, 2009.

Mr. REID. I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

#### REMEMBERING GORDON B. HINCKLEY

Mr. REID. Mr. President, I would say very briefly that someone I have gotten to know over the last number of years died last night at 7 o'clock—the leader of the Mormon Church, a man who has been instrumental in the tremendous growth of the church. During his period of time, the church has grown by millions of new people coming into the church. He has been a phenomenal builder, building scores of new temples around the world. As we speak, there is one new church building being built every day, being dedicated every day. That is a lot of construction. I was told last week that the largest single builder of buildings in the United States next to the Federal Government is the LDS Church, the Church of Jesus Christ of Latter-day Saints, of which this good man was the leader.

He is someone who has done some very unique things. He started what is called the Perpetual Education Fund. About half the members of the church are located outside of the United States. Millions of members of the church are located in Mexico, Central and South America. He started what is, as I have indicated, called the Perpetual Education Fund, which is a voluntary contribution made from members of the church to help these people who are coming into the church be educated. As a result, tens of thousands of people are now educated and are now church and community leaders around the world.

There is so much more that could be said about this good man who was kind and gentle and epitomized everything that is good in mankind, and certainly on a personal basis I will miss him greatly.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### SECRETARY OF AGRICULTURE

Mr. McCONNELL. Mr. President, I am not aware of any problems with regard to the nominee for Secretary of Agriculture, and we are running a hot-line on this side. I anticipate that it will be cleared shortly, and that will be a confirmation we hopefully can get out of the way at some point this afternoon.

#### WORKING OR BLAMING

Mr. McCONNELL. Mr. President, tonight, in keeping with an old custom, the President will speak to Congress and the Nation about the state of the Union. Every President since George Washington has given these periodic updates because the Constitution requires them to do so.

While the Constitution makes no similar demands on congressional leaders, there is no doubt that this year the American people are demanding something from us. They are looking for proof that Republicans and Democrats can come together to get a few things done on their behalf.

Just 1 week into the session, and we are faced with a crucial test, two issues of vital significance to every American citizen: Will we reauthorize a terror-fighting tool that we know has made us safer, and will we put money back into the taxpayers' hands quickly enough for it to have a positive effect on the Nation's economy? It is not an exaggeration to say that the choices we make on these issues will show the public whether we are serious about protecting them from harm and serious about protecting their wallets. So the question is this: Will we find a way to work together or will we find a way to get out of it and then blame the other side?

We got off to a good start. Last Thursday, millions of Americans were absolutely stunned to turn on their television sets and see the Democratic Speaker of the House and the House Republican leader standing together on a stage behind the Treasury Secretary from the Bush administration and nodding in agreement about an economic growth package they had all worked out among themselves. It was the kind of scene many people have wondered if they would ever see again.

For the first time in years, the parties have come together in good faith and responded swiftly to a pressing national concern. They sensed that the Nation was impatient for action, and so they gave up a lot of what they wanted in order to find common ground. House Republicans made major sacrifices. So did House Democrats. Now the Nation's attention turns to us, to the Senate, to see if we are capable of the same. Here is our moment to show that we are.

A number of Senators have expressed a desire to add to this package tens of billions of dollars in spending on contentious programs. But we don't have

the time for ideological debates. In order for this plan to work, Congress needs to act and to act at once.

This is not the package, frankly, that I would have put together. In my view, the best way to stimulate the economy would be to lower marginal rates. But neither is it the package my good friend, the majority leader, would have put together. I gather from his public statements he would prefer there be more spending on Government programs. The Speaker and the House Republican leader would also have built a package differently if they had written it on their own, but they put their differences aside because they know we will all get nothing if we are not willing to make some serious sacrifices.

The editorial writers at the Washington Post urged us Friday not to let the perfect be the enemy of the good. Low- and middle-income taxpayers certainly agree. They are tapping their fingers wondering if we can do it.

Americans are also wondering if we can agree on something as fundamental as our national security, and for good reason. We saw some worrisome signs last week that some of our friends were looking for a way out of what would be and could be a good bipartisan achievement on reauthorizing a terrorist surveillance program.

They should remember that 3 years ago, following the lead of the 9/11 Commission, Congress came together to create the Office of the Director of National Intelligence, approving the bill that established it by a vote of 89 to 2. The Director of National Intelligence was supposed to be the person who would connect the dots, who would make sure intelligence gaps were closed, who could look across the entire intelligence landscape and tell us about our vulnerabilities before terrorists discovered them on their own.

Last year, he did just that. The Director of National Intelligence came to Capitol Hill and asked us to either fix the Foreign Intelligence Surveillance Act that allowed us to monitor foreign terrorists overseas or risk weakening this vital intelligence-gathering tool.

Our friends across the aisle put off action for months before finally passing a temporary revision right up against the August recess. Then they delayed again last fall, pushing us up against the expiration of the temporary extension. Now they are delaying again.

There is only one version of a long-term extension that agrees with the recommendations of the Director of National Intelligence, and that is the pending Rockefeller-Bond substitute bill. This bill was carefully crafted on a strong bipartisan basis and reported out of the Intelligence Committee on a vote of 13 to 2. It is the only version the Director of National Intelligence has approved. It is the only version the President would sign. Therefore, it is the only one that has any chance of becoming law before the current extension expires on Friday of this week.

The time to act has long since passed. We need to approve Rockefeller-Bond, and we need to do it this week.

Some of our friends on the other side say they will not vote for cloture on Rockefeller/Bond because they could not amend it. No one should be deceived by this complaint. The amendments they want would transform it into a replica of the partisan bill that was reported out of the Judiciary Committee last fall. In other words, allowing amendments would guarantee failure.

Some of our friends on the other side say they want a 1-month extension. Never mind that we have had 10 months to act already. No one should be deceived by this complaint either. The real reason for the 1-month extension, of course, is to give Members who vote in favor of it the political cover they need to vote against Rockefeller/Bond. This is another clever way to make the bill fail.

Some of our friends on the other side say we are wrong to insist that phone carriers who may have cooperated with the Government in tracking terrorists be immune from lawsuits. The implication is that this is some kind of a favor for big business. But this advice is coming from the intelligence community, not politicians, because they know that we could never expect these companies—or any others—to cooperate in the future as long as the threat of a lawsuit looms.

Finally, some of our friends accuse us of being scaremongers for urging passage now. But the terrorist threat has not diminished since 9/11. It hasn't expired. The Director of National Intelligence assures us it hasn't. The memory of 9/11 tells us it has not. Attacks in Madrid and London and Bali tell us it has not. And the terrorists themselves tell us it has not. The threat is real. And we cannot let success in preventing another one keep us from staying on offense with all the tools and resources we have. The bottom line is this: by voting for cloture on Rockefeller/Bond, Members will guarantee that this important antiterror tool does not expire. And those who vote against it are voting either to delay its reauthorization or to weaken, not strengthen, our terror-fighting tools.

Fixing FISA is within our grasp. Will we come together and embrace the compromise approach that protects us, and doesn't force companies to make a false choice between the good of the firm or the good of the country or will we go the partisan route? It would be a worrisome sign indeed if the first bill Democrats filibuster this year deals with national security. We must resist the mistakes of last year, and act.

Last week, we saw the kind of tough compromise that's necessary when lawmakers are more concerned about making a difference than making a political point. Now it is our turn. The second session is young. But the choices we make this week will define

us. And in my view, it is a welcome opportunity.

Here in the second week of the session we have a chance to show Americans that we can work together on their behalf, to solve problems; to protect their security and protect their wallets. This is a defining moment for the 110th Congress. Let's put the mistakes of last year behind us. Let's show that the U.S. Senate can get the job done.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided between the two leaders or their designees.

The Senator from Utah is recognized.

#### DEATH OF GORDON B. HINCKLEY,

Mr. BENNETT. Mr. President, as the majority leader noted, last night Gordon B. Hinckley, the oldest serving president of the Church of Jesus Christ of Latter-day Saints in the history, passed away. He was 97 years old. Many might think that in lasting until 97 he passed away as a wasted, worn-out man. That is not true. President Hinckley was energetic and enthusiastic and fully engaged within just a day or two of his passing. With my senior colleague Senator HATCH, I have had meetings with him and the other leaders of the church and was always amazed at how well connected he was. He read the papers. He watched the television. He knew what was going on in the world outside the church every bit as much as we did. His memory was phenomenal. There are many people who were 20 to 30 years his junior who could not remember current items of news as well as he could.

So it is appropriate we take a moment or two to comment on the stewardship and contribution of this great man at the time of his passing. We do not mourn for him. He has joined his wife, his parents, and those others who have gone before him who may have a little sense of "Gordon, what took you so long?" But he stayed at his job and he fulfilled his stewardship in an impressive manner. The mourning we have on this occasion is mourning for ourselves, for the loss we have sustained in seeing this great and good man go on.

I have made mention of his energy. I should also mention his enthusiasm. He had a great zest for life. He was always looking forward to the next activ-

ity and the next opportunity. Along with his energy and enthusiasm, he was a man of humility and humor. You were never quite sure when he stood at the pulpit to speak if he was going to say something that would put you at ease and make you laugh, because that happened much more often than it did with some others who were a little more serious in their message. His messages were always serious, but they always had that touch of humor.

The last message we heard from him, speaking to the entire world in general, and to the church specifically, was his sermon of last October. I am sure he did not know that would be his final sermon to the members of the church. But it started out again with a touch of Hinckley humor. He noted, as he stood to speak, that singers will sing the same song over and over again, as people ask them to perform; orchestras will play the same symphony over and over again; but speakers are always expected to say something new. He said that bothered him a little, as he was going to repeat a sermon he had given before. After we smiled at his early comments, we heard a lecture on anger. He talked about the toxic effects of anger and how we should do our very best, both in our personal lives and in our professional lives, and, if I may, here in the Senate in national dialog, to do away with the sense of anger.

I have just returned from the annual session in Davos, Switzerland, where I heard a lot of people who could benefit from that sermon, as there was a lot of anger people had toward other governments and other government officials.

I will not in any way attempt to capsize what President Hinckley had to say about anger, except to demonstrate that this was his benediction prior to his death to the members of his church, telling them not to be angry with their families, not to be angry in their communities, and not to be angry with the world.

A former Apostle of the Lord Jesus Christ, Paul, spoke in his letter to the Corinthians about the three most important attributes of a Christian: faith, hope, and charity. Gordon B. Hinckley spoke of these same attributes and lived them in his life. But he put them, if you will, in modern terms: optimism, confidence, and love. A sermon telling us not to be angry with our fellow men is a fitting capstone to the stewardship of this man. It is a modern way of saying Paul's term "charity" or the pure love of Christ. We shall miss him.

The ACTING PRESIDENT pro tempore. The Senator from Utah, Mr. HATCH, is recognized.

Mr. HATCH. Mr. President, I ask unanimous consent that I may speak for about 5 minutes on Gordon B. Hinckley.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I associate myself with the remarks of my colleague from Utah, Senator BENNETT.

He basically stated in very articulate terms how important President Gordon B. Hinckley was, not just to Senator BENNETT and myself, but to people all over the world.

I express my deepest empathy, sympathy, and love to the family of Gordon B. Hinckley. I agree with Senator BENNETT, that President Hinckley in dying was happy to go and again be with his beloved eternal companion, Marjorie, whom he missed, who died about 4 years before him, and to be with others he has known here on this Earth, and others he would like to know who helped to make this country the greatest in the world, and many others as well. I extend my deep sympathy to his family—a wonderful family; they are terrific people.

President Hinckley was as ecumenical as a person could be. He led a worldwide church, the fifth largest church in America, the Church of Jesus Christ of Latter-day Saints. He basically taught all of us to understand that all religions are good and that we should work together. I don't think there has been a humanitarian mission or a major disaster anywhere in the world where the Church of Jesus Christ of Latter-day Saints—nicknamed the Mormons—hasn't cooperated with Catholic charities and other Christian charities—especially Catholic charities—to immediately go into action and provide the needed food, clothing, pharmaceuticals, et cetera, all over the world. These two charities have done so much. He made sure our members—13 million strong around the world—participated in each humanitarian concern. In fact, we have thousands and thousands of humanitarian missionaries all over the world. Many are older people who are retired and are giving 18 months, or even more, of their time—and some less—to be able to bring humanitarian help to people all over the world. This man led that. He was also a great business leader. Imagine, we had a man like this run this very important worldwide church.

Senator BENNETT mentioned his sense of humor. You hardly heard a set of remarks by President Hinckley where he didn't very wittily make his points even better than he would have if they were just stern and tough. He was never stern and tough, unless it was essential. He was always kind and loving. He was kind to me. Elaine, my wife, and I personally love him and we are going to miss him very much. He traveled all over the world. I have traveled all over the world, and generally have done it on military planes with military liaisons helping us and carrying our bags, doing everything to make it a reasonable trip. I come back beat every time. In every case, I wanted to kiss the ground when I got back here. He traveled extensively all over the world, almost a million miles. In that regard, I pay tribute to Jon Huntsman, Sr., who made it possible in his later years for him to have a very good airplane that I think extended his

life for a longer period of time for the benefit of mankind all over this world. It was a wonderful thing.

He had love for all human beings and he expressed that love not only through his words but also through his actions.

I might add that, as Senator REID mentioned, he established the perpetual education fund where members of our faith donate millions of dollars every year to help unfortunate young people in these foreign lands to be able to go to school and raise their educational level so they can become leaders in their own country, and so they can make great contributions. I think it is one of the most inspired things I have ever seen. We have thousands of young men and women who are now leaders in their countries—teachers, doctors, lawyers, and others—all because of the vision of this great man, whom we call a prophet.

I might mention that in his travels he dedicated dozens of temples, the most of any president of the church, all over the world. To LDS people those temples are extremely important. We believe marriage is so sacred and it is for all eternity, not just this life. Frankly, we try to live that way. Many do. These temples are extremely important to us. He went all over the world doing it.

I can truthfully say this is a man I loved. He was a profound influence on Senator BENNETT, me, and millions of others. He was a man who got along with leaders of other faiths. He taught us we must respect everybody.

Today I add my voice to those of 13 million other members of the Church of Jesus Christ of Latter-day Saints in bidding farewell to our beloved prophet, President Gordon Bitner Hinckley. His death late yesterday in his home in Salt Lake City has reminded us that all good things must come to an end. It is a sad day for all Utahns. We have lost our friend, our leader, and our fellow servant. President Hinckley lived great, and he died great in the eyes of God and his people, leaving behind him a fame and a name which will be known for generations to come.

In our effort to follow in President Hinckley's footsteps, Latter-day Saints found they had to lengthen their stride to keep up with him. Even into the sunset of his life, President Hinckley was indefatigable. He set a vigorous pace, traveling the world and sharing his message of service, love, and compassion with millions of all faiths. Everywhere our prophet traveled, he succored the weak, lifted the hands which hung down, and strengthened the feeble knees. When I think of the blessing President Hinckley was to those around him, I am reminded of the words from the great Mormon hymn, "Every day some burden lifted, every day some heart to cheer, every day some hope the brighter, blessed honored pioneer."

President Hinckley was born to humble surroundings on June 23, 1910, in

Salt Lake City, UT. He attended public schools, and graduated with a bachelor's of arts from the University of Utah. His first job was as a newspaper carrier for Utah's Deseret News. This modest start with a newspaper was a prelude of things to come. President Hinckley became the most media savvy leader the LDS Church has ever known, sharing his warmth and spirit with countless reporters, cultivating great friendships with notables like Larry King and Mike Wallace. Wallace once described President Hinckley as "a man I admire and I love really, because he's just an extraordinary guy."

As many Latter-day Saints do, Gordon B. Hinckley served a mission for the church while he was young. President Hinckley served in Great Britain in the 1930s, sharing the gospel's message of peace and hope during a time of great political and economic turmoil. Discouraged by the lack of receptivity he found among the Britons, he confided his dismay to his father, who instructed the young Gordon to "forget himself and go to work."

Young Gordon did, both in Great Britain and in the 70 years of service that followed.

His love of God fueled his love of country. President Hinckley carried the torch of patriotism, and the spirit of America burned in his heart. He once said, "I love America for [its] great constitutional strength, for the dedication of its people to the peace and the prosperity of the entire earth. I love America for the tremendous genius of its scientists, its laboratories, its universities, its researchers, and the tens of thousands of facilities devoted to the improvement of human health and comfort, to the extension of life, to better communication and transportation. Its great throbbing and thriving industries have blessed the entire world. The standard of living of its people has been the envy of the entire Earth. Its farmlands have yielded an abundance undreamed of by most people of the Earth. The entrepreneurial environment in which has grown its industry has been the envy of and model for many other nations."

President Hinckley's patriotism inspired him to great acts of civic service, in addition to his church duties. He was a chairman or board member of many businesses and educational entities. He received honorary doctorates from five colleges and universities, the Distinguished Service Award from the National Association for the Advancement of Colored People, the Silver Buffalo Award from the Boy Scouts of America, and special recognition for his contributions to tolerance from the National Conference of Christians and Jews.

President Hinckley's ministry earned him national prominence. In 2004, President George W. Bush awarded our prophet with the Presidential Medal of Freedom, the Nation's highest civil award. President Hinckley was one of the spiritual leaders President Bush invited to the White House following the



September 11 attacks. It was a great honor, both for him and our faith, that the President invited him to that gathering. A few months later, on the eve of the Winter Olympics in 2002, President Bush said, "President Hinckley represents a great religion, he is a strong part of the American scene."

But President Hinckley never let his love of the United States obscure his vision for the rest of the world. Prior to becoming the LDS president in 1995, Hinckley supervised the church's organization in Asia, Europe, and South America. During his tenure, the number of members living inside North America was surpassed by those living outside of it. The nations of the Earth heard his voice and he brought them a knowledge of the truth by the wonderful testimony which he bore.

As president, he administered to both the ecclesiastical and temporal needs of the church, whose 13 million members are spread over some 160 nations and territories. President Hinckley lifted his voice on every continent, in cities large and small, from north to south and east to west across this broad world. One global vision President Hinckley had for the LDS Church was a perpetual education fund, whereby members in wealthier nations could donate to the education of those in developing nations, thereby empowering them to help themselves and strengthening the infrastructure in struggling parts of the world, particularly Latin America.

When he became president of the church in 1995, the church had only 47 temples, our special meeting houses such as the magnificent one in nearby Kensington, MD. Thanks to President Hinckley's vision of expansion, today there are 124 in operation, and 12 more are under construction.

One of his first messages upon becoming our prophet in 1995 was a proclamation to the world, declaring the divine nature of the family unit and providing direction on how to nurture strong family relationships. There is no greater duty or privilege among the Latter-day Saints than to serve our families. President Hinckley admirably demonstrated that service as a grandfather, father, and husband to his eternal companion, Marjorie, who walked side by side with him for two-thirds of a century.

Now he and Marjorie are walking together in the fields of paradise, enjoying a richly deserved peace in the Lord. I am sure at this time he would remind us that death is the great equalizer. No matter what a man or woman may accomplish in this life, this final inevitability is waiting for them. Shortly before his own passing, perhaps seeing the end was nigh, President Hinckley told church members, "A man must get his satisfaction from his work each day, must recognize that his family may remember him, that he may count with the Lord, but beyond that, small will be his monument among the coming generations."

Our heads are bowed now, as we bid him farewell. Gordon Bitner Hinckley joins the ranks of departed prophets, on whose shoulders he stood and in whose mighty company he can now proudly mingle. God be with you, our friend, till we meet again.

I have to say, he stood for everything that was good, and I love him.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### FISA

Mr. SPECTER. Mr. President, I have sought recognition to speak briefly in opposition to the motion to invoke cloture. The amendment which I have filed goes to the heart of the issue on removing liability from the telephone companies to impose retroactive immunity. The amendment which I have filed and has been discussed on the floor of the Senate would substitute the Government for the party defendant, where the Government would have the same defenses—no more, no less.

For example, the telephone companies do not have the defense of governmental immunity; and the Government, when substituted, would not have the defense of governmental immunity. The telephone companies can plead state secrets to foreclose the litigation; and when the Government would be substituted, for example, the Government could assert the doctrine of state secrets in order to foreclose the litigation.

If the motion to invoke cloture is granted, I am advised by the Parliamentarian my amendment would not be germane and, therefore, would be stricken. We went through a long session last year where the argument was made, repeatedly and persuasively, not to invoke cloture—the argument advanced on this side of the aisle—in order to give Members on this side of the aisle an opportunity to propose their amendments. Now we have the first situation sought to be applied, and it is my hope this body will reject the cloture motion.

There has been very little time spent on this very important subject in this body, and when you have a matter of the importance of retroactive immunity, where you are going to shut off the courts of the United States from hearing cases that are already pending, there ought to be time for consideration of an amendment such as the one Senator WHITEHOUSE and I have offered to substitute the U.S. Government.

The purpose of our amendment is to comport with the basic constitutional provision of separation of powers,

which is the cornerstone of the Constitution, and we have found, regrettably, it has been inadequate to have congressional supervision, congressional oversight, because of its ineffectiveness. For example, when the Judiciary Committee seeks to obtain records on the destruction of CIA tapes, you find the administration resisting and the inevitable argument of politics. When the court issues an order, as the Federal Court did last week for a report on the destruction of documents, seeking to find out what happened on the destruction of the CIA documents, the court can't be charged with politics. We find in *Rasul*, and in other litigation matters, the judicial branch has been effective in maintaining the separation of power.

One further comment. It is a surprise to me that the amendment which I have offered with Senator WHITEHOUSE has been ruled nongermane. I took a look at Webster's International Dictionary and germane is defined as:

closely or significantly related; relevant; pertinent; closely akin.

I consulted with a Parliamentarian and asked why our amendment was ruled as nongermane, and the answer given was because there was no specific statement of the underlying bill on governmental liability. In pursuing the issue with the Parliamentarian, I then said: I am going to seek to change the rules.

It seems to me peculiar, if not absurd, that my amendment, the Specter-Whitehouse amendment, would not be germane under the common meaning of the English language. I said: Suppose we change the rules to provide that it was relevant? And the answer I got, and I don't want to misquote anybody, was that: Yes, that would stand the test of relevancy. As he put it, a more permissive standard.

So then I checked the definition of relevant in Webster's International Dictionary, and it says:

Bearing upon or connected with the matter in hand; to the purpose; pertinent, raise, lift up, syn applicable, germane, appropriate, suitable, fitting.

Well, the key part about the definition of relevant is that one of the synonyms is germane, just as one of the synonyms of germane is relevant. Now, it is a loss to me. I have been here a while, and I have had a hard time understanding the ruling of what is germane, and I have never seen one as close to the core point as putting the Government as a substitute for the telephone companies, but somehow it is not germane.

So I wish to put my colleagues on notice that I intend to try to change the rules. I can't see why one is necessary when Webster's has germane as a substitute for relevant and relevant as a substitute for germane. If the Parliamentarian thinks that relevant is OK, it is, again, hard for me to see why germane is not. A little surprising.

Mr. DORGAN. Mr. President, will the Senator yield for question? I don't want to interrupt his comments.

Mr. SPECTER. I will.

Mr. DORGAN. Mr. President, morning session is up at 3, and I am scheduled for 15 minutes. I might ask to extend the time. I don't know how much time the Senator is going to use, but I want to make certain I have the opportunity that was previously ordered, for 15 minutes on this side.

The ACTING PRESIDENT pro tempore. There is 10 minutes, 12 seconds remaining, and morning business is under the control of the majority.

Mr. DORGAN. Mr. President, how much additional time does the Senator from Pennsylvania need?

Mr. SPECTER. Less than a minute.

Mr. DORGAN. Let me ask unanimous consent that we extend by 5 minutes the time for morning business so it terminates at 3:05.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DORGAN. I thank my colleague for his courtesy.

Mr. SPECTER. I thank the distinguished Senator from North Dakota.

Well, I have made my argument. I think it is important to have a ruling, a vote by this body on whether we are going to apply retroactive immunity to the telephone companies. I said on the floor last week that if my amendment is not adopted, I will support retroactive immunity. I think it is a bad practice, but I think, as bad as that practice is, it would be worse to cut off the information which our intelligence community thinks we need. I think it is not advisable. And when we have a method of having both objectives, that is to have the Government have access to the information and at the same time not impose the cutting off of the judicial system for checks and balances, I think that ought to be adopted.

And further, a final comment on the hard-to-understand definition of germane. The dictionary defines it as being relevant, and the dictionary defines relevant as being germane, with the Parliamentarian giving a supplemental opinion that if the standard was relevance, it would be appropriate to have the amendment.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

#### ECONOMIC STIMULUS

Mr. DORGAN. Mr. President, tonight we will hear from the President in his annual State of the Union Address. I know the President is expected to talk a great deal about the economy and the need for an economic stimulus package. I wanted to talk for a moment about this because I think it is important for us to understand what is happening to our economy.

I know there are some who think the field of economics is some field with precision and elegance and that we are dealing with the ship of state. If we can

find our way to the engine room and find all the knobs and gauges and valves and levers and turn them the right way, such as providing an investment credit and bonus depreciation, that somehow we will get this ship of state moving again. Of course, that is not what is at stake at all. There isn't an engine room with knobs and valves and gauges. This is the field of economics, which I have said previously is a lot like psychology pumped up with helium.

So we talk a lot about knowing what is going on. The fact is we are going to now do a stimulus package because there is a notion that there is a problem with the economy. Well, there is more than a problem, there is a very serious problem with this economy. Take a look at the stock market, which is a barometer of confidence—up and down similar to a yo-yo—mostly down. The housing market has cratered, with construction of new homes and apartments in 2007 down 25 percent from the prior year. That is one of the giant job engines in our economy—the housing market. The unemployment rate has jumped, with some 1.4 million workers without a job for 27 months or longer. The trade deficit recently hit a 14-month high. Oil prices are still way up. Retail sales are their worst in years. So we have a very serious problem.

Now, the Federal Reserve Board took bold action last week and that is unusual for the Federal Reserve Board. They all wear gray suits and wire-rimmed glasses and seldom do anything that is very bold, but last week they did. They cut interest rates by three-quarters of 1 percent. So the expectation is that because the Fed is taking that action and seems to be very concerned about the economy, that we should take a look at our fiscal policy, so there is talk about a stimulus.

Frankly, I think a stimulus package is fine. I don't think it does all that much. But the absence of doing something on the Senate side of Congress would send the wrong signal. Psychologically, it is important we work on a stimulus. We are talking about a stimulus that is probably 1 percent of our economy, so it is not exactly going to jump start the American economy. In addition, if all we do is a stimulus package and we continue to ignore the fundamentals, the things that are structurally wrong in this economy, the things that have not just caused the economy to be in some trouble but caused the American people and people all around the world to look at us and say: You know something, you are off track. You are not addressing the things that matter, and this is unsustainable. If we don't do something to address those things, we will not be addressing the basic problem of our economy.

So let me talk about that. No. 1, a fiscal policy. A reckless fiscal policy. I mean, in recent years, think of it. This

administration inherited a large budget surplus. Then we got hit with a recession, a war in Afghanistan, a war in Iraq, a war on terrorism—and a whole series of events—including Hurricane Katrina. Many of us said to the President: Don't propose we spend surpluses that don't yet exist. Let us be conservative. He said: Katy bar the door, let us have big tax cuts and most of it for the wealthy, and he pushed it through Congress.

Now, I didn't push for it, he did, and we ran up a huge deficit because of all these unexpected circumstances we were confronted with. So now, in recent years, we have sent soldiers off to war, and the President says to Congress: We are sending soldiers to go fight, but we don't intend to pay for it. I want the Congress to provide emergency spending in order to pay for that, and we will add it to the debt. Last year, he asked Congress for \$196 billion for the current fiscal year. That is \$16 billion a month, \$4 billion a week, none of it paid for, and all of it added to the debt. As if to say to the soldiers: You go fight, and when you come home, we will have you and your kids pay the bills. That is a fiscal policy that is completely off balance.

We are going to borrow about \$600 billion this year. That is how much will be added to the debt. I know that is not what they say the deficit is. They say the deficit is lower because, among other things, they are taking all the Social Security surplus from the trust funds and using it to show a lower deficit. We are going to borrow about \$600 billion a year to sustain the budget policies of this administration. Add to that a \$700 billion to \$800 billion a year trade deficit, \$2 billion a day every single day, and you are talking about a combined red ink in our budget and trade policies of some \$1.3 trillion. That is almost 10 percent of the American economy. Think of that. That is unsustainable.

Now, add to a reckless fiscal policy and a trade policy in which we are hemorrhaging red ink and exporting American jobs, regulators who were asleep on the job—people who came to Government but didn't want to regulate—and the subprime loan scandal occurred right under their noses. We all heard the advertisements. When you turned on the television, you heard the ads. It couldn't have escaped the notice of the regulators, surely. The ads said: Have you been bankrupt? Do you have trouble getting credit? Have you been missing your house payments? Come to us. We have a loan for you. We will give you a new home mortgage. And so they did, with a teaser rate at 2 percent and unbelievable circumstances.

Everybody was making lots of money. The brokers were making millions, the mortgage banks were making a lot of money, and then they were packing these mortgage loans, the good ones, with the bad ones, just like they used to pack sausage with meat and

sawdust. They would use the sawdust as filler back in the old days.

Well, during unregulated times, just like packing sawdust into sausages, what these folks did is, they took good loans and bad loans, packaged them up. They sliced them up, then they securitized them, and sent them out, sold them, and everybody was happy and everybody was fat and everybody was making a lot of money, until it all came home to roost. A whole lot of folks could not make housing payments.

So what we found with the subprime loan scandal is 2.2 million families with subprime loans will lose their homes to foreclosure; 7.2 million with subprime mortgages have an outstanding mortgage value of \$1.3 trillion. And when those interest rates reset, a whole lot of them will not be able to pay the bills to keep their homes.

All of this happened under the nose of regulators who came to Government not wanting to regulate. And it caused severe damage to our country. Now, add to that a reckless fiscal policy, a trade deficit in which we are hemorrhaging in red ink and shipping jobs overseas and a scandal in the home mortgage industry that caused enormous damage to our country, made a lot of folks rich in the short term, and victimized a lot of others. Add to that the unbelievable speculation that is going on in hedge funds, most all of it outside of the view of regulators.

Hedge funds are about \$1.2 to \$1.5 trillion in value; but that does not describe their importance to the economy. They are heavily leveraged. That \$1.2 to \$1.5 trillion of hedge funds is engaged in one-half of all of the trades every day on the New York Stock Exchange. They are engaged in, among other things, credit default swaps.

There is something called credit default swaps, derivatives, with notional values of \$43 trillion. There is so much unbelievable speculation with dramatic amounts of leverage in hedge funds and derivatives that it is scary. Nobody knows what is going on because it is outside the view of regulators. That is the way they want to keep it.

We will talk about stimulus; we will talk about short-term measures. But if we do not deal with this issue of a fiscal policy that is way off track, a trade policy that is an abject failure, regulators who have no interest in regulating, scandals will develop and mature right under their noses, this country is not going to recover. Our economy is not going to thrive and grow. It is fine to do a stimulus package of 1 percent of GDP, I do not object to that. We will borrow the money from China, likely, to do it; perhaps put some money in the hands of people who will go to Wal-Mart and buy goods from China, for all I know.

But, psychologically, I think it is fine to create a fiscal policy initiative that compliments what they are doing at the Fed with monetary policy. But

that will not solve the underlying problems in our economy. We have deep abiding problems in fiscal policy, trade policy, and regulatory failures.

This Congress and this President have a responsibility to address them. Talking about stimulus, and just talking about stimulus, means we have not addressed that which moves this ship of state forward in the future, creating expansion opportunities and jobs and economic health. The only way we do that is to stare truth in the eye and understand what is causing the problems in the country and how to fix it.

There is an old saying on Wall Street I was told by a friend: You cannot tell who is swimming naked until the tide goes out. Well, the tide has gone out, and now we are going to see some sights that are not very pretty. It has to do with speculation and a whole series of things that we have to correct. And my hope is, starting this evening at the State of the Union Address and following that, at last long last, we might see a President and a Congress work together to face the truth about fiscal policy, trade policy, and inept regulation that has put this country in significant difficulty and trouble.

We need not have a future that manifests that trouble forever. If we take bold action and courageous action to understand what is wrong and what the menu of items are that we need to go to fix it, I think we can have a much better and brighter economic future in this country. I want to be a part of that work, and I know many of my colleagues do as well. So let's hope the first step to do that begins this evening at the joint session of the Congress at the State of the Union Address.

#### EXECUTIVE SESSION

##### NOMINATION DISCHARGED

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session, that the Agriculture Committee be discharged of PN 1112, the nomination of Ed Schafer, to be Secretary of Agriculture; that the Senate proceed to the nomination, that the nomination be confirmed, and the motion to reconsider be laid upon the table; that any statements relating to the nomination be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate return to legislative session.

My understanding is this was cleared on both sides. I am particularly proud to make this request. Former Governor Schafer is a distinguished former Governor from our State. It is a great honor for our State to have him nominated.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BOND. Reserving the right to object, and I will not object, I wish to join with the Senator from North Dakota, who is doing a fine thing. We ap-

preciate the support on both sides of the aisle. We obviously need a good and strong Secretary of Agriculture, and we are pleased to see this body move forward. I do not object. I thank the sponsors.

Mr. DORGAN. Mr. President, might I also say as we ask for the consent that my colleague, Senator CONRAD, worked very hard to accomplish this in the Agriculture Committee. He joins me as well.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF AGRICULTURE

Ed Schafer, of North Dakota, to be Secretary of Agriculture.

#### LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now return to legislative session.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### FISA AMENDMENTS ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2248, which the clerk will report by title.

The bill clerk read as follows:

A bill (S. 2248) to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

Pending:

Rockefeller/Bond amendment No. 3911, in the nature of a substitute.

Feingold/Dodd amendment No. 3909 (to amendment No. 3911), to require that certain records be submitted to Congress.

Bond amendment No. 3916 (to amendment No. 3909), of a perfecting nature.

Reid amendment No. 3918 (to the language proposed to be stricken by Rockefeller/Bond amendment No. 3911), relative to the extension of the Protect America Act of 2007.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 4:40 shall be equally divided and controlled between the two leaders or their designees with the final 20 minutes equally divided between the two leaders, with the majority leader controlling the final 10 minutes.

Mr. HATCH. Mr. President, I ask unanimous consent that I have at least 10 minutes to give my remarks on FISA.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I have been to this floor on numerous occasions to aggressively support the immunity provisions of the FISA modernization bill. I cannot understate my

passion for this issue. I am of the firm belief that the lawsuits facing the telecom providers constitute a grave threat to national security. The potential risks from inadvertent disclosure of classified information cannot be understated. The potential damage to our intelligence sources and methods from allowing these lawsuits to go forward is substantial. Unfortunately, the more we delay this legislation, the more likely it is that our sensitive intelligence methods will be exposed, and not just exposed to the American people but to al-Qaida and thousands of other terrorists and enemies around the world. Remember, the very point of these lawsuits is to prove plaintiffs' claims by disclosing classified information through the discovery process.

Let's think about this. Do we really want any person to be able to make accusations that are utter hearsay and then be given the ability to jeopardize the intelligence community's sources and methods by demanding discovery during frivolous litigation?

We simply cannot do this. We should never reveal our intelligence agencies' technical capabilities, who they work with, who they target, or what their strengths and weaknesses are. We on the Intelligence Committees have that assignment because we are expected to honor the classified nature of those matters. The reasons should be obvious to all of us.

Here is an example that illustrates this point: If criminals are running drugs northbound along I-95, they may have an idea that they will encounter police checkpoints. But they need to transport the drugs, so they will balance this risk. But what if they know for sure there is a checkpoint in a specific State? What if they then find out the checkpoint is at a specific mile marker? Will they change their routes and methods? You better believe they will. They are not stupid and neither is al-Qaida. Does it really make sense for us to broadcast across the globe, over the Internet, how we work? Do we want to replace the uncertainty of how we track terrorists with established fact?

Confirmations or denials of the allegations in the lawsuits will certainly reveal certain intelligence agencies' sources and methods. Even when the proceedings are in camera or ex parte, this risk is still apparent. I cannot stress this point enough: The identity of any company that may or may not have cooperated with the Government with the terrorist surveillance program is highly classified. Accusations and hearsay do not confirm any relationship. The very activities these cases seek to disclose could reveal whether a company has or hasn't assisted the Government. In addition, any verdict in the case would likely provide the same type of information, and replacing the Government for these companies in the litigation does not solve the problem.

Our enemies have tough decisions to make regarding how they commu-

nicate. They cannot stay silent forever, and they have to weigh the need to communicate against the chances that their communications are intercepted. We know they are carefully watching us and following every proceeding to see how our Government collects information. If they think they see a weakness in our collection capabilities, they will certainly try to take advantage of it. Make no mistake, al-Qaida and the other terrorist organizations would benefit tremendously from learning the identity of any company that assisted the Government following the attacks of 9/11.

A few of my colleagues and many in the outside media have highlighted accusations from a former telecom employee. His name is Mark Klein. Mr. Klein claims he has proof that computers diverted domestic electronic communications from a phone company directly to the NSA, the National Security Agency. In fact, his accusations play a major role in one of the lawsuits currently facing a telecom provider.

It is important to note the Government chose not to classify Klein's declarations or exhibits in one of the lawsuits. The Government could have, but it didn't. So Klein's court documents are public. Due to the ongoing litigation, I do not want to speak directly to his claims, but I will highlight a statement that was made by an official representing the Government during a court proceeding in one of the lawsuits against a telecom provider. This statement was from the Assistant Attorney General on June 23, 2006, in front of Judge Vaughn Walker. Here is what was said about the decision not to classify Klein's declarations. This is the Government statement regarding Mark Klein:

We have not asserted a privilege over the Klein declarations or exhibits. Mr. Klein and Marcus never had access to any of the relevant classified information here, and with all respect to them, through no fault or failure of their own, they don't know anything.

I cannot understate the importance of this quote as it has never been mentioned during this debate. No further commentary on it is needed, but I think its meaning is extremely important when Senators and the public weigh the relevancy and reliability of Klein's accusations. I am particularly hopeful that three of my distinguished colleagues who have highlighted Klein's claims on this floor are aware of these statements from the Government. I hope we all realize Klein's accusations highlight only one side of the story.

I also want to draw attention to another claim repeatedly made on this floor: the false declaration that the immunity provision in this bill will "close the courthouse door." These claims seek to convey the false impression that the immunity provision in this bill will halt all litigation relating to the terrorist surveillance program, or TSP.

This is absolutely false. There are no fewer than seven lawsuits currently pending against Government officials that are related to the TSP. The immunity provision in this bill will not—I repeat that, will not—affect any of those cases. These cases are completely unaffected by the immunity provision in this bill.

Here are the cases. Al-Haramain Islamic Foundation, Inc. v. George W. Bush; ACLU v. National Security Agency; Center for Constitutional Rights v. George W. Bush; Guzzi v. George W. Bush; Henderson v. Keith Alexander; Shubert v. George W. Bush; Tooley v. George W. Bush.

Finally, it is imperative for us to understand national security is greatly dependent on the cooperation of telecom providers. We cannot do it by ourselves. Yet many foreign governments are in quite the opposite situation, one which gives them an advantage in certain electronic interceptions. Many foreign telecoms are run by the respective host government. Many others have government officials with controlling authority. These countries do not have to worry about telecom cooperation. They can simply force the telecoms to comply.

We have chosen not to have that system in our great Nation. Rather, we rely on the voluntary assistance of telecommunication providers. When these companies are asked to assist the intelligence community based on a program authorized by the President and based on assurances from the highest levels of Government that the program has been determined to be lawful, they should be able to rely on these representations.

For those who argue we need a compromise, let me be clear: We already have a compromise. The Government wanted more than what is represented in this bill, and they did not get it. The chairman of the Senate Select Committee on Intelligence stated the following in the Intelligence Committee report:

The [Intelligence] Committee did not endorse the immunity provision lightly. It was the informed judgment of the Committee after months in which we carefully reviewed the facts in the matter. The Committee reached the conclusion that the immunity remedy was appropriate in this case after holding numerous hearings and briefings on the subject and conducting thorough examination of the letters sent by the U.S. Government to the telecommunications companies.

The immunity provisions in this bill are limited in scope. Not everyone is going to be happy with them, and that is the whole point. I, for one, wanted to see more protection for companies and Government officials in this bill, but I am willing to accept the compromise, and my colleagues should be willing to do the same. We are not all getting what we want. We are getting what the public has to have—what the public needs.

We have been working on legislation to modernize FISA since at least April

of 2007. I am extremely proud of the bipartisan efforts that led to this bill in the Intelligence Committee where all of the investigations were made, where the intelligence was protected. We found a balance. Let's show the confidence and resolve to vote on this compromise, not back away from it.

I will support cloture on the Rockefeller-Bond substitute amendment, and I urge my colleagues to do the same.

In that regard, I pray that my colleagues will listen to the distinguished ranking member of the Intelligence Committee, Senator BOND, who has played a significantly proper and important role in helping to get this bill through the committee and to the Senate floor. This is a major bill of protection for our country, and I attribute much of the success of it to Senator ROCKEFELLER, the chairman of the committee, and Senator BOND, the ranking member, both of whom have been sterling leaders on this issue. I hope it is not true that anybody in this body will support some of the amendments that may be brought to the Senate floor because we have looked at this issue frontwards, backwards, all over the place. We have examined it. We spent many months on this subject in the Intelligence Committee. That should not be ignored. It passed the Intelligence Committee 13 to 2 compared to the substitute we defeated with cloture that was 10 to 9 in the Judiciary Committee.

Mr. President, I ask that we support cloture on this bill.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, I believe our time on this side has expired. I thank my colleague from Utah, who is a valued member of the Intelligence Committee and the Judiciary Committee, truly a real authority in this area. When he speaks, he speaks from not only a great deal of knowledge but study. We are grateful for his assistance. He is a tremendous asset to this body in many ways but none more so than on the Intelligence Committee.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, I rise to oppose the vote to invoke cloture on the FISA bill. I have no choice but to vote against cloture in order to preserve the rights of my colleagues to have their amendments to this landmark legislation considered.

It has been a very weird process. The FISA legislation before the Senate has been taken, in effect, hostage. In a transparent attempt to score political points off of national security issues, the White House has decided, once again, that scaring the American people with unfounded and manipulative claims is in order.

The President's decision to use the FISA bill in a game of chicken represents a new low, even by Washington standards.

The administration's practice of placing politics above national secu-

rity when it serves the poll-driven agenda of its advisers has become an addiction in this White House. Even when the Senate is on the verge of producing much needed national security legislation that the President supports and wants, the addictive political cravings that have coursed through the administration's body for the past 7 years kick in once again.

As is often the case, addictions produce behavior that is both irrational, and in this case more, unfortunately, self-destructive. In this case, the White House has misguidedly calculated that it is worth jeopardizing passage of a bill which they support, which strengthens the collection of foreign intelligence, in order to obtain a short-term political objective.

The White House is gambling with the safety of Americans and the continued cooperation of companies that we rely on to aid in our efforts to protect our country. It is time for the Senate to take a stand and reject these reprehensible tactics.

The Senate Intelligence Committee took enormous care to craft legislation that would give our intelligence community greater latitude to conduct surveillance of foreign targets while not compromising the constitutional and statutory protections afforded to Americans both here and overseas.

Senator KIT BOND and I worked extremely closely on that, as we did, as I will explain, with many others. This was a painstaking process. It went over many months, but it ultimately produced this balanced legislation that the vice chairman and the committee and I sought.

It is a solid bill. And I believe with some limited changes it can be a better bill; limited changes, I might add, that will in no way impede or in any way intrude into the collection of the intelligence we need.

Every step of the way during the process of producing this bill gave me great satisfaction. We worked in a consultative way with the administration. These discussions have always been in good faith. We have talked as professionals, trying to work out a hard problem to which most people do not pay a lot of attention but which has enormous consequences for our country, and we have done it in good faith, the very good faith that the actions of the White House now threaten to unravel.

From when the Intelligence Committee called on the administration to propose a FISA modernization bill last spring—the vice chairman and I did that—to the many committee hearings that followed, to section-by-section, line-by-line, word-by-word consultations too numerous to count that we had with the lawyers and intelligence experts in the Justice Department, from the National Security Agency, from the Office of the Director of National Intelligence to outside experts, we have worked in good faith with the administration to achieve, against,

frankly, considerable odds, the unthinkable, to wit: a bipartisan bill dealing with the issues of profound complexity that has the endorsement of not only the President but also of the intelligence community professionals who will be the ones who carry out this surveillance. They want this bill.

The committee included in its FISA bill a narrowly crafted provision that would provide immunity for telecommunications companies that participated in the President's warrantless surveillance program after September 11 and until the program was placed under court authorization last January.

We rejected the administration's proposed open-ended language in defining very tailored immunity language. We rejected their open-ended language to extend immunity to Government officials. That was taken out. So if there was wrongdoing somewhere, do not make the assumption automatically, without thinking this thing through deeply, that it came from a private sector entity as opposed to public officials.

I realize this is a controversial matter with many of my colleagues, particularly on my side of the aisle, but I reject the games that are being played on both sides: by those Senators who are prepared to filibuster the bill due to their opposition to narrow immunity, and the administration's wishes to prevent the Senate from considering any alternative amendments to the immunity provision.

We should debate the liability issue fully, and the Senate should be allowed to consider alternative amendments. And I say this, and I think the vice chairman would agree with me, out of an abundance of confidence that the committee position will ultimately be sustained by the Senate in the end.

The majority leader has made prompt passage of the FISA bill the top priority for the Senate. He pushed off other subjects so that it could be conferenced with the House and eventually be placed on the President's desk for his signature. If allowed, the Senate can complete action on the FISA bill in a matter of a few days. Unlike many bills the Senate considers where the number of amendments that can be disposed of can approach or exceed 100 or 150 or 175, passage of the FISA bill will probably involve relatively modest numbers of amendments and a very manageable number of amendments.

I estimate that number would be somewhere in the 12-to-15 amendment range, probably fewer. Some of these amendments I would support as needed as improvements to the bill of the committee, the Intelligence Committee. Many I would oppose because of my concern that it would undo the careful balance we achieved in the underlying Committee bill. This is a stitched piece of work between collection of intelligence for the national security and

the rights and privacy of individuals. I will oppose anything that undoes that balance.

The amendments that are likely to pass with a majority vote, at least in my view, such as the Feinstein exclusivity and Cardin sunset amendments, are further refinements of provisions already in the Intelligence Committee bill, and they in no way bear on the collection of intelligence authorities sought and provided by our bill. Those that would undercut these authorities to be able to do collection, I am confident, would go down to defeat.

But the Republican leadership, under orders from the White House, objected to these amendments being considered and voted on, and the bill passed before the February 1 expiration of the temporary and flawed Protect America Act passed last August. So that is where we are going to be unless we can resolve this in the Senate, which we could do by the end of the week.

Why? Why has the White House used obstructionist tactics to prevent the Senate from passing a FISA bill that it wants, that it has declared acceptable?

The President says he wants the Intelligence Committee bill passed as soon as possible. He said as recently as last Friday that he understands there may be some limited number of changes that will be needed to make the bill stronger. Others, including Minority Leader McCONNELL and Vice Chairman BOND, also have acknowledged the reality that amendments will have to be brought up and voted on before the Senate can pass the bill. That is, after all, the way of the Senate.

Why, then, are they preventing the Senate from voting on the limited number of amendments before us and passing the bill, a bill that they want? Why? A bill that has everything to do with the future of our country, our national security, and a bill which we will not soon come to again if we don't achieve success in the coming days.

The majority leader has repeatedly offered the proposal to extend the February 1 expiration date in the current stopgap law 30 days to allow sufficient time to complete our work on the legislation. But each time this 30-day extension consent request was sought, it was killed by the Republican leadership under orders from the White House.

Why in the world would a temporary extension be objectionable to a President who is on record as saying he doesn't want the current law to expire without a more lasting FISA modernization bill in place? Yet, in one of the most astounding "Alice in Wonderland" moments I have ever witnessed in my time in the Senate, the White House announced last week that the President would veto a 30-day extension of the current foreign collection authorities passed by Congress.

So let's recap. The President wants the FISA bill passed by the Senate, but he has sent the decree down to the Republican leadership that they are to

prevent its prompt passage. Well, prompt passage we have to have. The President does not want the current 6-month Protect America Act to expire this Friday. He does not want that to happen. But he has stated he will veto any extension and thereby ensure that it will expire. What more evidence is needed to demonstrate the irrational and self-destructive political addiction that drives this White House? Doesn't drive the vice chairman of the Intelligence Committee, I guarantee that.

Under the tortured logic of protecting America against terrorism, the White House has decided to exercise, frankly, its own form of political terrorism and has taken the FISA bill hostage.

From the beginning, the administration has demonstrated a deep-seated contempt for the role of Congress in authorizing and monitoring intelligence activities.

Whether it is the National Security Agency's warrantless surveillance program or the Central Intelligence Agency's secret detention and interrogation program, the White House for over 5 years walled off the Congress and the courts from conducting the sort of meaningful oversight and checks and balances that are essential to making sure our intelligence programs are on sound legal operational footing.

To make matters worse, the administration has successfully used objections and delaying tactics over the past 3 years to keep the intelligence authorization bill from being passed and signed into law. It is this flawed policy of Executive Branch unilateralism that has created the mess we are now dealing with.

There is no possible way I can overstate the importance of this bill. But it is hard to explain. Everybody can grasp on to the immunity issue, leap to one side or the other, often without sufficient thought. But the bill as a whole, meshed together as a whole like an Appalachian quilt, is a thing of beauty, can be improved, and should be passed.

Nevertheless, I urge my colleagues to oppose the Republican cloture motion on the FISA bill so that we can reassert something called the role of Congress that we must play on these and other important national security matters. Oversight is what we do. We don't write a lot of bills in the Intelligence Committee, but we do oversight. But it is not welcome in the current atmosphere.

I urge my colleagues to oppose the Republican cloture motion so that we can consider on their merits the limited, manageable number of amendments to the bill and, in the process, push bipartisan FISA reform across the finish line.

I know Vice Chairman BOND and others are ready to get back to business and start disposing of amendments. I feel confident that he and I, as managers of this bill, will work closely, as we have in the committee, to ensure that we do no unintended harm to this

bill in the matters of collection of intelligence or any other unbalancing of this Appalachian craftwork.

There is still time for the Senate to work its way on the FISA bill and pass it before the week's end. I hope we do so.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

Mr. BOND. Mr. President, it is my understanding that this side has 40 minutes of debate; is that correct?

The ACTING PRESIDENT pro tempore. The Senator's side has 46 minutes.

Mr. BOND. Mr. President, I ask unanimous consent that that be divided; that I be allocated 15 minutes and that I be notified when my 15 minutes is up; that at the appropriate time, the Senator from Texas be recognized for 15 minutes; and then, after intervening discussion from the other side, the Senator from Georgia, Mr. CHAMBLISS, be recognized for 5 minutes. I would reserve the remainder of the time for closing argument.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BOND. I thank the Chair.

Mr. President, we began consideration of this bill on December 17, the FISA Amendments Act of 2007. As my friend the chairman said, it was passed by the Senate Intelligence Committee with overwhelming bipartisan support. It has garnered the support of the Director of National Intelligence, and I believe it is the way forward.

I was a bit amused to hear my friend say that the FISA bill was being taken hostage; they were scoring political points. I haven't heard from the White House anything other than they want to have this bill passed.

We have sought to protect the rights of Republican Members on the minority side. We have suggested that this bill is so controversial, as all intelligence bills are, that amendments be subjected to a 60-vote majority. The simple fact is, we could pass perhaps a number of amendments that could destroy the structure of the bill we have presented and put us in the position where it would not get the 60 votes needed to pass.

My suggestion is that we move forward accepting some amendments. There are amendments on both sides, I agree with the chairman, that can be accepted. Maybe we could even accept them without a vote or accept votes on others at a simple majority, a 51-vote majority, and then on certain controversial ones, we may have to have 60 votes. But we are ready to move forward. We are not the ones who have held up this bill. Very briefly, in April, the Director of National Intelligence, Admiral McConnell—and I will refer to him as the DNI—sent a bill to the Senate Intelligence Committee and said FISA is out of date. It has to be updated. He came before us and testified in May. I asked him to do something.



Nothing happened. He came before the full Senate, actually, in closed session, all Senators invited; that was in June. He explained how urgent it was and how we were being left deaf and blind to communications of terrorists. Nothing happened.

It was at the end of that session, going into the August recess, that he proposed a temporary shortened version of FISA which became the Protect America Act. I was pleased to support that in the Senate. It passed the House and was signed.

We came back in September, knowing we had to work together on a bipartisan basis, and the Senate Intelligence Committee and staff worked very hard on a bipartisan basis to produce a bill, a very good bill. It was the ultimate compromise. There were some on both sides who were sullen but not rebellious. But we got the job done. We provided the tools the intelligence community needed and significantly expanded the protection of American civil liberties and privacy rights.

The bill sat on the floor in October. It finally came to the floor December 17. A number on the majority side spoke out against the civil liability protection afforded providers who allegedly assisted the Government with the President's terrorist surveillance program, or TSP. They criticized various provisions in the Intelligence Committee bill. They spoke in favor of what regrettably was a partisan Judiciary Committee substitute.

Debate is good for democracy but only if it is based on facts. Unfortunately, during the December filibuster, we heard a number of allegations, accusations, and even misrepresentation about the committee's bill and the TSP. Some of those comments will be repeated today.

Our intelligence community professionals must have the tools they need to protect us. This is not the time to pass legislation that will make people feel good or will score political points. We must pass a bill the DNI will support and, thus, the President will sign. That should be our goal. Distorting the truth will not help us get there.

The record must be set straight, and these are some of the myths we have heard. What are the facts? We were told that a "new and aggressive" interpretation of article II authority was used to justify the TSP. There is nothing new or aggressive about relying on the President's article II authority in the context of foreign intelligence surveillance.

Courts, including the FISA Court of Review in the 2002 *In re: Sealed Case* decision and the Fourth Circuit in the *Truong* case, have long recognized distinctions between domestic and foreign surveillance and the President's constitutional authority to conduct foreign intelligence surveillance. Nor is it "an invitation to lawlessness" to argue that the President has inherent constitutional authority to wiretap without a court order. The Constitution is

the highest law of the land and trumps any statute.

In 1978, when Congress recognized the tension between FISA and the President's inherent authority under article II, they noted that warrantless surveillance for foreign intelligence gathering has been an integral part of our Nation's foreign intelligence. During World War II, our warrantless surveillance of the German and Japanese militaries and the breaking of their codes preserved our democracy. More recently, the Clinton administration conducted a warrantless search of the residence of convicted spy Aldrich Ames.

The Intelligence Committee conducted a comprehensive, bipartisan review of the TSP. There is no evidence to substantiate the claims that the administration began its warrantless surveillance before September 11 or that the TSP covered domestic calls between neighbors, friends, and loved ones. As the President has stated, the TSP collected international calls involving members of al-Qaida.

For many months, critics have argued that TSP could have been conducted under FISA. That argument needs to be laid to rest. A decision by a FISA court last spring proved that the TSP could not have been done under FISA as it existed. The court decision resulted in significant intelligence gaps which led to the passage of the Protect America Act.

I was not there, but I understand this matter was discussed by the President with the top leaders of this body and the other body, as well as the Intelligence Committee, and was told at the time it would not be possible to redraft and change the old FISA law in time to collect the critical information they hoped to gather before attacks occurred immediately following September 11.

The liability protection for those carriers who allegedly assisted the Government with the TSP lies at the heart of this legislation. The President did what he had to do under article II, and our country was safer for it, and our country was safer because some of the carriers alleged to have participated acted in reliance and good faith on orders of the Attorney General, transmitting the President's order—and the intelligence community.

In his original FISA modernization request in April of 2007, the DNI asked for full liability protection for all those allegedly involved. Some Members have attacked DNI McConnell's integrity, calling him "an accidental truth teller" and accusing him of backing out of an agreement made under the PAA. These comments are not only unjustified, unwarranted, and unfair, they are counterproductive. Throughout this debate, the DNI and other intelligence professionals have given us unbiased advice and technical assistance. They have assisted Democrats and Republicans. We need to focus on the task at hand, not engage in per-

sonal attacks against a man who has served his country honorably in the military and the intelligence community, and continues to do so as head of the community.

Some of the Members have downplayed the need for liability protection. They argue that carriers already have statutory immunity and that continued litigation will not harm providers or our intelligence efforts. These statements reflect a startling lack of knowledge about our intelligence collection, which is dangerous to the continued operation of our gathering.

First, the companies cannot prove they are entitled to statutory immunity because the Government must assert state secrets to protect their intelligence collection methods. Second, while it is true that the existence of the TSP has been revealed, there are still, fortunately, a few details about the program that have not. Each day the lawsuits continue—with the prospect of civil discovery—there come new risks that sensitive details about our intelligence sources and methods will be revealed. As General Hayden stated a year and a half ago: The disclosure of the TSP has had a significant impact on intelligence gathering of terrorists. We are applying the Darwinian theory. We are only capturing the dumb ones. We should not give terrorists additional insight through continued TSP litigation.

Further, our intelligence and law enforcement agencies rely on the willingness of providers to cooperate—in emergencies, as with the kidnapping of a child, or when court orders are not required. Yet some carriers have already told us if they do not get liability protection, they will not be able to risk their business, their reputation, by continuing to help without court orders. That would be devastating to our intelligence collection.

Our committee weighed all these arguments for and against liability protection. We concluded by a 12-to-3 bipartisan vote that civil liability protection for providers—and only providers, not Government officials—was not only fair, it was the only way to safeguard our intelligence sources and methods, and to ensure the continued cooperation of the providers.

Substitution is not a solution since it would allow civil discovery to proceed against providers, still leaving them open to disclosure and exceedingly serious competitive and reputational harm, perhaps even physical retaliation by radicals who oppose our intelligence gathering. The intelligence community advised us through testimony and gave us documents that these companies acted in good faith, and we in the committee agreed with them. The providers who may have participated relied upon representations from the highest levels of Government.

There is no need to create a statutory mechanism for a court, whether it be the FISA Court or any other, to second-guess this determination. Allowing

a court to do so would throw uncertainty into an area where the committee's intent is clear: The ongoing civil litigation against providers must end. On this last point, the term "amnesty" was tossed around in December. But that incorrectly assumes that alleged carriers did something illegal. These carriers do not need amnesty. They did nothing wrong. They deserve liability protection.

As I mentioned earlier, the DNI said he will support the Intelligence Committee's bill with two revisions. Yet some Members insist there are fatal flaws. We heard, No. 1, that there are no consequences if the FISC rejects the targeting/minimization procedures; No. 2, the bill does not contain a "reverse targeting" prohibition; and, No. 3, it allows warrantless interception of purely domestic communications. A plain reading of our bill shows that each one of these arguments is false.

The bill that came out of our committee goes farther than ever before in providing a meaningful role for the courts and Congress in overseeing acquisitions of foreign intelligence. The FISA Court will review the targeting and minimization procedures to ensure they comply with the law. If the court finds any deficiency, it can order the Government to correct the deficiency or cease the acquisition.

There is nothing—I repeat, nothing—in this bill that will allow warrantless wiretapping of Americans in violation of title III criminal wiretaps or FISA. There are explicit prohibitions against "reverse targeting" and the targeting of the person inside the United States without a court order. Americans abroad are given new FISA Court protections. The acquisitions must also comply with the fourth amendment. These are major new protections for Americans. Yet in spite of these measures—protections we have never seen before in the world of foreign targeting—we have been told the intelligence community will still target innocent Americans, listening to calls between parents and children overseas, between students and their friends studying abroad. That is absolute nonsense. The Intelligence Committee's bill only allows targeting of persons outside the United States to obtain foreign intelligence information. This is not a dragnet of surveillance. We are not listening to, quote, completely innocent people overseas, unquote, as some have claimed. The targets must be foreign targets—suspected terrorists or terrorist group members—and the Attorney General and the DNI must certify that a significant purpose of the acquisition is to obtain foreign intelligence information.

For example, if a foreign target is believed to be an agent or member of al-Qaida, then all communications will be intercepted. Only Americans who communicate with that target will have those specific conversations monitored. If those same conversations turn out to be purely innocent, they will be "mini-

mized," or suppressed. Even if the communication contains foreign intelligence information, it is likely, in many instances, the identity of any U.S. person will be masked—or protected—in any intelligence reporting. Americans' privacy rights are protected up to the point where they are actually engaging in a terrorist operation.

Mr. President, I see my time is running out. I will reserve the remainder of my time. I will give the rest of my remarks at a later time.

Thank you.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. ROCKEFELLER. Mr. President, I yield 7 minutes to the Senator from Wisconsin.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the chairman of the Intelligence Committee.

The Senate should not be having a cloture vote on this legislation today. What we should be doing is considering and voting on the amendments that I and my colleagues tried to bring up last week, and other amendments that have been proposed to improve this badly flawed bill. But the minority does not think we should have the right to actually legislate here. They expect this body to rubberstamp that bill.

I am afraid I have to say the conduct of the minority has been very disturbing on this. They insisted for weeks that it is absolutely critical to finish the FISA legislation by February 1, even going so far as to object repeatedly to efforts by the majority leader to extend for only 1 month the Protect America Act—a law they rammed through this Chamber in August—and they still don't want to give us another month so the Senate can carefully consider changes to it.

So the majority leader brought to the floor the Intelligence Committee bill, the legislation that the minority wanted to consider and urged the Senate to stay in session through the weekend to complete work on it. I criticized the majority leader for bringing the Intelligence Committee bill to the floor because I thought the Senate should be working from the much better bill reported by the Judiciary Committee, on which I also serve, but I would have thought the minority would be pleased by the majority leader's decision.

So what have they done in response? They have obstructed all efforts to actually work on this bill. They will not allow me to get a vote on the one amendment I have offered—an amendment cosponsored by Senator HAGEL—and they will not allow me or anyone else to offer any other amendments. They filed for cloture the day this Senate began working on the bill, after allowing only a single amendment to be called up. They have effectively halted Senate consideration of this bill, de-

spite the fact they are the ones—they are the ones—who are arguing that the February deadline is so critical. They seem to think that scare tactics peddled by administration officials, such as the Vice President, will be enough to pressure the Senate into letting them have their way. I certainly hope they are wrong.

Mr. President, as you well know, this legislation is in serious need of fixing. It authorizes widespread surveillance involving Americans at home and abroad. Yes, it does. Despite what the Senator from Missouri said, it certainly does do that. I have a number of amendments I want to offer, both to ensure that the FISA Court has more authority to oversee these authorities, and to guarantee Americans their fourth amendment rights. But I cannot even get a vote on the one, simple, straightforward, and extremely modest amendment I offered last week. This demonstrates how brazen these tactics are. This bipartisan amendment would merely require that the Government provide copies of important FISA Court orders and pleadings for review to the committees of jurisdiction in a classified setting, so that Members of Congress can understand how FISA has been interpreted and is being applied. You would think this amendment would be, as they say, a no-brainer, and yet the minority will not even consent to a vote on that.

But at least that one amendment is pending, and we will get a vote eventually. If the Republicans succeed in cutting off debate on this legislation, the Senate will not be able to vote on any other amendments, including the amendment Senator DODD and I wish to offer to deny retroactive immunity to telecom companies that allegedly cooperated with the administration's illegal wiretapping program. It is unconscionable to think that the Senate should have to make a final decision on this legislation without even having an opportunity to debate and vote on whether to grant retroactive immunity to companies that allegedly cooperated with an illegal program.

And why are we in this situation? Because the minority and the administration think they are entitled to ram the deeply flawed Intelligence Committee bill through the Senate without any changes. It seems they are worried the Senate might actually pass some of the very reasonable amendments I and others would like to offer if they give us a chance to do so or perhaps they are trying to sabotage the bill and then figure out a way to blame that outcome on Democrats.

No Senator—no Senator—should go along with these cynical, strong-arm tactics. We have to stand up to the administration and stand up for our rights.

I strongly urge my colleagues to oppose cloture. Invoking cloture on this bill would be an abdication of our responsibility to consider legislation that will have a huge impact on the

American people for years to come. I hope even those who support the Intelligence Committee bill will think twice before voting to make this body a rubberstamp.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I don't know why any Member of the Senate would object to procedures we would employ within the bounds of the law to listen to communications of terrorists in order to detect and deter further terrorist attacks on our own soil or against Americans or our allies. That is what this legislation does. Unfortunately, I think we are beginning to see a dangerous trend on the part of the Senate: Never failing to put off until tomorrow what we could and should do today.

This legislation has been considered for an awfully long time, as we all know, in a bipartisan vote of the Senate Intelligence Committee, 13 to 2. In October, this legislation was voted out of the Intelligence Committee in a carefully crafted attempt to consult with the Director of National Intelligence, the head of the Central Intelligence Agency, and all other intelligence community members who might be impacted by this legislation. There has been opportunity after opportunity for input into this legislation by Members of the Senate. Yet we hear today there are those on the floor of the Senate who are saying: Well, let's not vote on this legislation now. Let's kick the ball down the road another month so we can have the same debate, the same discussion we have been having for all those many months leading up to this point. The only reason we are where we are today is because we were unable to get a lengthy extension of the Foreign Intelligence Surveillance Act in August. Because of objections by those on the other side who are complaining about this legislation again today, we were only able to pass this legislation until December and then another extension was granted until February 1, when this Protect America Act expires of its own terms. I would hope this body would continue to act in a strong bipartisan manner in which the Intelligence Committee has voted this bill out of the Intelligence Committee by a vote of 13 to 2.

I appreciate the fact that this body tabled the Judiciary Committee's partisan substitute and sent a signal that bipartisanship and consensus may once again become ascendant in matters of national security in the Senate. I think we would see that as a welcome development. At a time when we are talking about an economic stimulus package and seeing cooperation from the Speaker and the minority leader in the House and the President of the United States on matters affecting the economy, why can't we get that same sort of bipartisan cooperation on matters affecting national security?

Today, the Senate is poised to move this critical national security legislation one step closer to the President's desk. Today's vote will tell us much more about whether this Senate is ready to set aside partisanship and willing to get the job done.

Members of this body will remember that in December we had to pass an Omnibus appropriations bill that affected all discretionary spending of the U.S. Federal Government because we had been unable to pass 11 out of the 12 appropriations bills that it was our responsibility to pass. Unfortunately, this Senate has an unfortunate recent tendency to put off things until tomorrow what we should and could be doing today, and we should not let that happen. We need to finish this legislation to give Members a chance to debate and then to vote.

I don't favor each and every provision included in the bipartisan compromise that is sponsored by Chairman ROCKEFELLER and Vice Chairman BOND, but I do appreciate the fact that it is a carefully crafted compromise. It is a bipartisan compromise. It is the product of extensive consultation and negotiation with the experts in our intelligence and defense communities.

In other words, this legislation reflects the valuable and necessary input of the very men and women who are currently intercepting phone calls, text messages, and e-mails between al-Qaida and their operatives—those who wish to do America and America's interests harm.

The Senate has two choices today as the deadline for action rapidly approaches on February 1. On the one hand, we can show the American people that at least when it comes to matters of national security, it is possible to put partisanship aside and to get the job done in a bipartisan way. The other choice, which the majority leader has proposed, is we ask the American people for an extension, that we kick the can down the road for another month, only to find ourselves back in precisely the same posture we are in today: With no issues resolved and with the same old debates to be rehashed when we ought to finish the job today and follow the path of maximum responsibility.

I ask my colleagues: What excuse could there possibly be to put the tough choices off for another month? What justifies asking the American people for more time to get the job done when we know what the choices are and we have simply to make those choices by our vote today. We have had 6 months since the Protect America Act was passed in August of last year to get the job done. In that time, this legislation has been subjected to scrutiny by two Senate committees, and there has been significant time debating this legislation on the floor.

The fact is there is no acceptable excuse for failing to do our duty and our job. The excuses offered for delay are as compelling as the old school house

claim that my dog ate my homework, I couldn't get it done.

I say no more excuses, no more extensions. It is time for Congress to come together in a bipartisan fashion in the national security interests of the United States.

It is specious to say there is no consequence to another extension, and it is the height of irresponsibility to argue that delay is the only responsible choice. As America's elected leaders, we have a responsibility to keep America safe. We cannot simply close our eyes and wish away the terrorist threat. It is easy this many years after September 11 to be lulled into a false sense of security as time takes us further away from that terrible attack on American soil. But it is undeniable that the threat from al-Qaida and Islamic extremists remains.

In the face of the very real threat of radical Islamic terror, Congress must be resolute and we must eschew attempts to split along partisan lines, and we must embrace bipartisan solutions to our very real national security problem. That is what a vote on the Senate Intelligence Committee bill would reflect: a bipartisan solution to a national security challenge.

That is why it defies credibility to argue that the responsible thing to do is to put the job off for another month. The majority leader's plea for an extension implies that the only two choices we have are, on the one hand, an extension for 1 month and, on the other hand, no bill at all. Neither of those is a responsible choice.

In fact, there is a third option, and that option is for the Senate to pass a consensus bill that has the bipartisan support of the chairman and vice chairman of the Intelligence Committee and a bipartisan majority of the Senate, experts in the intelligence community, and the President of the United States.

Let's be clear about what an extension means. An extension means further delay. It means putting off tough choices. It means not only to do so in a time of war but in a time of economic fragility, when we have other work we need to be doing on the floor of the Senate that is being taken up unnecessarily by repeating the same arguments over and over without any conclusion. It also means Congress has lacked the courage to relieve some of America's leading companies from the burdens and costs of litigation arising from their cooperation in the war on terror.

Let us remember the telecommunications companies that may have cooperated with our Government at the request of our President, and upon the certification of the Attorney General, the chief law enforcement officer, that what they were being asked to do was within the law. To continue to subject them to litigation for doing their civic duty, to incur ongoing expense and inconvenience and to risk information that is sensitive to our security coming out during the process is simply not a responsible option.

Some in Congress apparently think these companies should have second-guessed the legal representations made by the President and the Attorney General in the days and weeks and months following the 9/11 attacks. Some in Congress have argued that the companies had a duty not to cooperate, a duty to refuse to assist this Nation's intelligence community with tracking terrorists during wartime. That is, unfortunately, how far we have come in this debate and how off the mark some have come.

These companies, as every good citizen who cooperates with their Government to try to keep America secure in good faith, deserve the protection we are being asked to give them in this legislation. These costly lawsuits have not only put in jeopardy the future cooperation of these firms but also the critical national security concerns potentially exposed to the discovery process in civil litigation. It may be popular in some quarters to bash corporate America, but that rhetoric is sorely misplaced in this debate. The men and women who manage these companies made a good-faith decision to do their patriotic duty—to help their Government to track terrorists and to save American lives, and they should not be punished for it. They should be thanked for their cooperation.

For Congress to allow these burdensome lawsuits to continue this long is unfortunate and unjust indeed, but for Congress to continue to put off the tough choices and leave these companies in legal limbo is not only unfortunate and unjust, it is also irresponsible. Now is the time for Congress to decide the question—no more excuses, no more delays, no more extensions. Today, the Senate can choose a path forward, a bipartisan path on critical national security measures, and I urge all my colleagues on both sides of the aisle to work together to move this bipartisan bill forward by voting for cloture at 4:30.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I rise today in support of cloture on S. 2248, the Foreign Intelligence Surveillance Amendments Act, or FISA Amendments Act. Time is running out on congressional action to fix FISA. The Protect America Act, which Congress passed in August to close gaps in our foreign intelligence collection, expires this Friday, February 1, 2008.

Prior to congressional action in August, our intelligence community was unable to collect vital foreign intelligence without the prior approval of a court. And I emphasize in that "foreign" intelligence. This will be the case again if we do not make permanent these changes. Before August, if our intelligence community wanted to direct surveillance at an al-Qaida member located in Pakistan who was communicating with an operative ter-

rorist in Germany, they would have to first petition the FISA Court for approval. In August of this year, our intelligence community told us that without updating FISA, they were not just handicapped, but they were hamstrung.

The Protect America Act temporarily fixed the intelligence community legal gaps. The Director of National Intelligence highlighted some of the critical intelligence gained under the Protect America Act, including: insight and understanding leading to disruption of planned terrorist attacks; efforts of an individual to become a suicide operative; instructions to a foreign terrorist associate about entering the United States; efforts by terrorists to obtain guns and ammunition; terrorist facilitator plans to travel to Europe; identifying information regarding foreign terrorist operatives; plans for future terrorist attacks; and movements of key extremists to abate a risk. With the Protect America Act set to expire, Congress must act swiftly before our core collectors are faced with losing this kind of valuable intelligence as a result of inaction by Congress.

Although the Protect America Act enabled the intelligence community to continue its important work, Congress would be derelict in its duties to merely extend the expiration of this act.

The Senate Intelligence Committee has been reviewing and drafting FISA legislation since April of last year. Last fall, the committee considered and passed the bill that is now before us. In December, the bill came to the Senate floor for consideration, but some of my colleagues on the other side of the aisle delayed its consideration. We are now faced, after almost 10 months of thorough consideration, with the ability to pass legislation which will improve our intelligence collection and which contains safeguards for U.S. citizens' privacy rights that the Protect America Act does not contain.

The FISA Amendments Act contains a clear prohibition against intentionally targeting persons located inside the United States and a prohibition on reverse targeting of U.S. persons, which the Protect America Act does not. The FISA Amendments Act makes clear that the FISA Court approval is required for intentionally targeting U.S. persons abroad and requires that any collection be consistent with the fourth amendment. Most important, the FISA Amendments Act contains retrospective immunity for our telecommunications carriers that may have assisted the Government in protecting American lives.

Extending the Protect America Act does not ensure the continued and necessary cooperation of those who may have assisted the Government with the terrorist surveillance program after September 11.

The Government often needs assistance from the private sector in order to

protect our national security. Telecommunications carriers may provide the Government access to communication contents and records pursuant to many Federal processes, including judicial warrants, subpoenas, title III orders, FISA orders, attorney general certifications, administrative subpoenas, national security letters, and other statutory authorizations. In return, they should be able to rely on the Government's assurances that the assistance they provide is lawful and necessary for our national security.

In *Smith v. Nixon*, the U.S. Court of Appeals for the District of Columbia suggested that the Government's request to wiretap a home telephone was illegal. Yet they dismissed the telephone company from any liability because of the assurances they received from the Government, the reasonable expectation of legality, and their limited technical role in assisting the Government in surveillance initiated by the Government.

As precedence suggests, America's telecommunications carriers should not be subjected to costly legal battles and potentially frivolous cases, yet ones which could expose intelligence sources and methods, harming our national security, merely for their good-faith assistance to the Government. It is necessary and responsible for Congress to provide telecommunications carriers with liability relief.

I urge my colleagues to support cloture on the Rockefeller-Bond substitute amendment and oppose a simple extension of the Protect America Act. Senators ROCKEFELLER and BOND have worked hard and long hours to make sure we got it right in this bill that came out of the Intelligence Committee. After many hours of negotiating, debate, and hard work, it would be a shame to see this bill not come to fruition and pass this body at this point in time. Our intelligence community needs the tools and additional safeguards provided in the FISA Amendments Act to keep our people safe, and Congress needs to act quickly before the Protect America Act expires and these tools are taken away.

Mr. BIDEN. Mr. President, I rise today in opposition to the Intelligence Committee's version of the Foreign Intelligence Surveillance Amendments Act of 2007. It is without question that I support giving the administration the surveillance tools it needs to keep us safe. But Congress has both a duty to keep the American people safe and uphold the Constitution.

It is therefore incumbent upon us in the Senate to craft clear legislation that protects both our national security and our civil liberties. We can do that by passing the Judiciary Committee substitute, which gives the administration the tools it needs to collect foreign intelligence and protects innocent Americans by ensuring that the FISA Court, and not the Attorney General, decides whether surveillance of a U.S. person is proper.

One of the defining challenges of our age is to combat international terrorism while maintaining our national values and our commitment to the rule of law and individual rights. These two obligations are not mutually exclusive. Indeed, they reinforce one another. Unfortunately, the President's national security policies have operated at the expense of our civil liberties. The examples are legion, but the issue that prompted the legislation before us today is one of the most notorious—his secret program of eavesdropping on Americans without congressional authorization or a judge's approval.

After insisting for a year that the President was not bound by the Foreign Intelligence Surveillance Act's clear prohibition on warrantless surveillance of Americans, the administration subjected its surveillance program to FISA Court review in January of last year.

Then, last August, citing operational difficulties and heightened threats that required changes to FISA, the administration passed the Protect America Act—over my objection and that of many of my colleagues. The Protect America Act, which sunsets at the end of this month, amended FISA to allow warrantless surveillance, even when that surveillance intercepts the communications of innocent American citizens inside the United States.

The administration identified two problems it faced in conducting electronic surveillance under FISA. First, the administration wanted clarification that it did not need to obtain a FISA warrant in order to conduct surveillance of calls between two parties when both of those parties are overseas. Because of the way global communications are now transmitted, many communications between people all of whom are overseas are nonetheless routed through switching stations inside the United States. In other words, when someone in Islamabad, Pakistan, calls someone in London, that call is likely to be routed through communications switching stations right here in the United States. Congress did not intend FISA to apply to such calls, and I support a legislative fix to clarify that point.

The second problem the administration identified is more difficult. Even assuming that the government does not need a FISA warrant to tap into switching stations here in the United States in order to intercept calls between two people who are abroad—between Pakistan and England, for example—if the target in Pakistan calls someone inside the United States, FISA requires the government to get a warrant, even though the government is “targeting” the caller in Pakistan.

The administration wants the flexibility to begin electronic surveillance of a “target” abroad without having to get a FISA warrant to account for the possibility that the “foreign target” might contact someone in the United States. I agree with the administra-

tion's assessment of the problem, but I don't support its solution.

The administration's proposal, which is reflected in the Intelligence Committee's version of the FISA Amendments Act, would significantly expand the scope of surveillance permitted under FISA by exempting entirely any calls to or from the United States, as long as the government is “targeting” someone reasonably believed to be located outside the United States.

The government could acquire these communications regardless of whether either party is suspected of any wrongdoing. The Attorney General and the Director of National Intelligence would make the determination about whom to target on their own, and they would merely certify, after-the-fact, to the FISA Court that they had reason to believe the target was outside the United States, regardless of how many calls to innocent American citizens inside the United States were intercepted in the process.

This Intelligence Committee bill authorizes surveillance that is broader than what is necessary to protect national security and that is why I oppose it.

The Intelligence Committee bill offers no protection for the innocent Americans who communicate with overseas relatives, business partners, or friends. Indeed, it allows the government unfettered access to these innocent Americans' communications. And once the government collects these communications, it can share them with other agencies throughout the government.

The Judiciary Committee substitute—which authorizes much broader surveillance powers than the government had under FISA before the Protect America Act became law—offers several significant protections. I will mention a few: First, the Judiciary Substitute protects against the “bulk collection” of communications by requiring the government to target a specific person or phone number abroad, rather than allowing the acquisition in bulk the millions of communications going into and out of the United States. Second, it requires the government to obtain an individualized warrant from the FISA Court if the government's acquisition of a person inside the United States becomes a significant purpose of its surveillance of the foreign target. Third, it provides for much more robust and meaningful congressional oversight. And fourth, it does not provide retroactive immunity for the telecommunications carriers.

I oppose granting retroactive immunity because if the carriers violated clearly stated Federal law, they should be held accountable. Cases against the carriers are already making their way through the courts. Retroactive immunity would undermine the judiciary's role as an independent branch of government. Furthermore, the provision that holds carrier liable for violations of the act is an important enforcement

mechanism. It is fundamental to securing the privacy rights that FISA was meant to protect.

When the Senate passed FISA, after extensive hearings, 30 years ago by a strong bipartisan vote of 95 to 1, I stated that it “was a reaffirmation of the principle that it is possible to protect national security and at the same time the Bill of Rights.” I still believe that's possible, but not if we enact the Intelligence Committee bill.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CARDIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the time for the quorum we will go into be equally divided between Senators BOND and ROCKEFELLER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. Twelve and a half minutes.

Mr. BOND. Mr. President, while we are waiting for Members of the other side to come forward, I will make a few remarks, and we will see if we have some others join us.

I was talking about some of the proposed amendments and questions that have arisen about this bill. There are some who would demand that a court order be obtained any time a call involved a U.S. citizen. But anybody who understands FISA or intelligence collection knows that is operationally impossible.

For 30 years, the intelligence community has used minimization procedures when inadvertently intercepted calls come to or from nontargeted U.S. persons. So far, we are totally unaware of any abuses of this system. The minimization procedures have worked well. They worked well when information was being collected by radio, without a FISA Court order, and they continue to work well because the well-trained people who run the NSA operations are overseen by multiple layers of supervisors and inspectors general and attorneys from the Department of Justice.

There is no way to know, when a terror suspect places a call from a location in the Middle East, whether that

person is going to call someone in his country or a neighboring country or the United States. So if you say you cannot intercept that call if it goes to a U.S. person, what, in effect, you are saying is you cannot intercept that call because you don't know where the call is going. So it means there will have to be an order for every foreign terrorist surveillance conducted by the NSA, and that is totally unworkable. We have seen that before. That shut the system down. It is unsound policy to require a FISA Court order if a terrorist target abroad calls a U.S. person. That may be the most important call to intercept in order to protect us from a terrorist attack at any time, and time matters. Do we really mean that the call cannot be intercepted until a court filing is prepared and reviewed by Government lawyers and that the FISA Court must review the application and supporting amendments? I hope not. Our enemies are not stupid. They would figure out very quickly that they can slow us down and bring our intelligence community to a halt simply by placing periodic calls to the United States.

Some believe that the FISA framework in place is enough to keep us safe and that we don't need the Intelligence Committee bill. I find that comment disturbing. It is the FISA framework that created significant intelligence gaps threatening the security of our Nation. It is only because we passed the Protect America Act that those gaps were closed.

I have already spoken about the problems with the Judiciary Committee bill. I wish to address some concerns and some ideas raised about the Foreign Intelligence Surveillance Court, the FISA Court.

I think our bill out of the Intelligence Committee strikes the appropriate balance between providing tools needed to collect intelligence and a meaningful oversight role for Congress and the FISA Court.

There are a lot of misperceptions about the FISA Court. As mentioned previously, for example, there are those who suggest the court should have decided whether providers acted in good faith before immunity is granted. We were told this makes sense because the court "sits 24/7 and this is all they do. They would act en banc." That is not accurate. The FISA Court does not sit 24 hours a day, 7 days a week. It is composed of U.S. judges from U.S. district courts throughout the country who have their own full caseloads and come to Washington, DC, on a rotating basis simply, as the enabling legislation says, to issue FISA Court orders. As a result, it would be difficult to get them to sit together.

Given the court's facilities, it is not set up to preside over litigation. We were told that this is why the FISA Court was set up, but the legislative history and the measures—

The PRESIDING OFFICER. The Chair advises the Senator that he is

going into the time reserved for the Republican leader.

Mr. BOND. Mr. President, I will then close and urge that our colleagues adopt cloture so that we may move forward on this very important bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. Nineteen and a half minutes, with 10 minutes reserved for the leader.

Mr. ROCKEFELLER. I yield 9½ minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I thank the manager of the legislation, Senator ROCKEFELLER. Once again, I will say that I have great admiration for the work done by the committee. It is not an easy matter. The Intelligence Committee has serious work to do. Much of what they have done, I agree with. My objections here this afternoon are focused on one aspect of the legislation rather than the cumulative effort the committee has made.

Let me address the issue we will be voting on, and that is cloture. That is a critical issue for all of us.

Aside from the question of whether I agree or disagree with various amendments, or even the bill, we find ourselves in the midst of a parliamentary nightmare. We have been in this position since late last year, going back to December.

So much hinges on this bill. It will set America's terrorist surveillance policy well into the next Presidential term and beyond if a period of 6 years is adopted or even the 4 years suggested by Senator CARDIN and others. Depending on the outcome of the debate, this legislation has the power to bring that surveillance under the rule of law or to confirm the President's urge to be a law of his own. It has the power to bring the facts of warrantless spying to light and to public scrutiny, or to lock down those facts as the property of only the powerful.

It has the power, obviously, to declare the same law applies to all of us regardless of economic circumstances, well connected or not, or to set the precedent that some corporations are far too rich, far too affluent to be sued, that immunity can effectively not be brought against them.

Wherever you come down on these choices—and I know there are those of us who have different opinions—you certainly cannot be neutral, in my view. None of us can be neutral on a matter such as this. This is one of the most important and contentious pieces of legislation we will debate in this session, and I argue any session of Congress, and yet the Senate is frozen today.

I objected passionately to retroactive immunity, but I did not shut out debate. Republicans have frozen this body since debate began, not only last week

but going back further, and they unwittingly created a perfect microcosm of retroactive immunity right here in this body. Because both flow from the same impulse: shutting down the organs of Government—in this case, the legislation, the courts, and now, because of the procedural nightmare we find ourselves in, the Senate—when you are afraid, of course, you will not get your way. That is why President Bush wants his favored corporations saved from lawsuits, it appears. That is why the minority party wants this bill saved from any and all amendments, saved from serious and thoughtful discussion.

As a committee chairman myself, as I pointed out the other day, I wish I had the privilege being requested by the minority. I sometimes wished the bills we passed out of committee would have swept out of this body when I came to the Senate floor without a single amendment. That is not how this body works. It was never intended to work that way. It is certainly not the way the Founders intended it to work.

Amendments are not entitled to pass, but they are entitled to a fair hearing, a fair debate, and a fair vote. The minority can object as strenuously as it wants, but it must do so fairly. I accept that principle, even when it does not go my way; even on immunity itself, I understand a minority cannot stand forever. Is it too much for Republicans to extend the same courtesy?

On a bill as important as this one, it would be ridiculous to curtail debate, shut out new ideas, or rush to a conclusion without even extending the Protect America Act for a month to give us the time we need. Whether you agree with them or not—and some I disagree with myself—the amendments offered by my Democratic colleagues are serious proposals and deserving of serious consideration.

Shouldn't we debate whether this new surveillance regime ought to stay inflexible through the next Presidential term and into the one after that?

Shouldn't we debate whether we are going to categorically outlaw unconstitutional reverse targeting or indiscriminate vacuum cleaner bulk collection?

Shouldn't we debate whether Congress even gets to see the secret rulings of the FISA Court?

Those are some of a few of the well-intentioned proposals we need to consider before we vote on this bill. But across the board, the Republican answer to those questions is absolutely not, in every single instance: No debate, no votes. I disagree, and I will vote against cloture because we haven't done our job yet.

I will also vote against cloture because I cannot support the bill as it now stands, as my colleagues know. First, the legislation still contains some egregious provisions for corporate immunity. I already made my objection to immunity many times



over the last number of days. It puts the President's chosen few above the law, in my view; it endorses possibly illegal spying on Americans; and it strikes a harsh blow against the rule of law. I will continue to fight retroactive immunity with all the strength any one Senator can muster.

But I also strongly object to many of the intelligence-gathering portions of the bill, as well as supporting many of them that have been included. This bill reduces court oversight of spying nearly to the point of symbolism. It would allow the targeting of Americans on false pretenses. It opens up new twisted rationales for warrantless wiretapping, which is exactly what it ought to prevent. It could allow bulk collection of communications of millions of Americans as soon as an administration, whether this one or future one, has the wherewithal to build such an enormous dragnet, and it sets all of these deeply flawed provisions in stone for 6 years, depriving us of the flexibility we need to fight terrorism.

For all of those reasons, as well, I will vote against cloture later this afternoon.

Tonight, the President will come to Congress to speak to us and to the American people about the state of our Union. I hope he will use that opportunity to realize the Senate needs more time to do its constitutional duty to debate and consider this important legislation. However, I am concerned that he will instead continue to threaten to veto this legislation unless it includes retroactive immunity for the telecommunications industry.

The President has said this bill is essential to "protecting the American people from enemies who attacked our country." That is a quotation. So why is he trying to stop it? Why is he promising to veto it? Why is he throwing it all away to protect a few corporations from lawsuits?

I fear that if we give this President what he wants, we risk weakening the rule of law and placing the rights of some of the President's favored corporations over the rights of ordinary American citizens.

I hope my colleagues will join with those of us who oppose cloture today on the substitute amendment to allow the Senate the time it needs to debate and improve the FISA Amendments Act. This issue is far too important for the security of our Nation and to our civil liberties to do otherwise.

As we all know, as I have stated over and over, this is historic tension that dates back to the founding of our Republic, of keeping us safe from those who would do us harm, and protecting the rights and liberties of American citizens. It has been a tension that has been debated and argued for more than 200 years, and the adoption of the FISA legislation three decades ago created the means by which that balance could be struck, allowing us to do what is necessary to protect us against those who would do us harm while simulta-

neously guaranteeing those rights and liberties we enjoy as Americans would be protected in these circumstances.

It is a critical point to maintain that balance. My fear is this legislation, particularly with retroactive immunity, upsets that balance significantly.

As I said before, and I will repeat in closing, had this been a few months, even a year in the wake of 9/11, had this administration had a record of by and large supporting the rule of law, I would not stand here and demand that we not include retroactive immunity under those circumstances. But there has been a pattern of behavior by this administration from the very outset. We now know these warrantless wiretaps began in January or February of 2001, not in the wake of 9/11. So even prior to the tragic events of September 11, 2001, this administration had begun a pattern of seeking warrantless wiretaps on average American citizens without the court orders provided for under the Foreign Intelligence Surveillance Act. Of course, it went on for 5 years and would still be ongoing were it not for a whistleblower in a report in a major American newspaper uncovering this program.

This went on for 5 long years amidst a pattern of behavior by this administration. I do not think I need to necessarily enumerate the examples of that pattern, beginning with Abu Ghraib, secret prisons and rendition, habeas corpus, the U.S. Attorney's Office, and the list goes on and on. I cannot undo those mistakes, but they are more than just mistakes. They are tragic examples of this administration's trampling all over the rule of law. What we can do this evening and what we can do in the coming days, collectively, Democrats and Republicans, is pass a FISA bill, much of which is included in the work of Senator ROCKEFELLER and Senator BOND. There will be some objections, obviously, to some amendments that will be offered, but to get our work done, pass this legislation, and move on to other business. The issues are far too important to leave them otherwise.

I thank, again, Senator ROCKEFELLER for giving me some time and urge our colleagues to vote against the cloture motion when that moment occurs.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from West Virginia.

Mr. ROCKEFELLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, we are now only a few days away from the expiration of the Protect America Act,

days away from a situation in which the intelligence community will be unable to freely monitor new terrorist targets overseas. We are flirting with disaster, and the American people deserve to know how we got in this predicament. So let me review it.

Ten months ago, the Director of National Intelligence asked us to reform the Foreign Intelligence Surveillance Act. Our friends on the other side waited until July to take up a bill that agreed with his recommendations. It was not until August that Congress finally answered his pleas by authorizing for 6 months the overseas surveillance of foreign terrorist targets with the Protect America Act.

When our friends on the other side got back from the August break, they vowed to quickly address what they decried as the shortcomings of the Protect America Act.

The Senate Intelligence Committee, under the leadership of Senator ROCKEFELLER and Senator BOND, took up the task. Reforming FISA was complicated and demanding work, but the committee members came together, as they were intended to, along with the executive branch, which, of course, was necessary.

Everyone involved acted with determination, deliberation, and considerable skill. The process lasted 4 months. It involved numerous hearings, briefings, and negotiation sessions. The final product was a model of bipartisanship and accommodation across the Senate aisle and with the White House. The committee vote was not 15 to 0, but around here 13 to 2 is almost as impressive.

But what was perhaps even more impressive is the fact that such a broad coalition of players had come together to meet the minimum standards required of any legislation that replaces the Protect America Act, something that allows the intelligence community to operate without unreasonable and counterproductive restrictions, which protect phone carriers from frivolous lawsuits for helping the Government hunt for terrorists, and which is guaranteed to be signed into law. All of those things are contained in the Bond-Rockefeller, Rockefeller-Bond proposal.

Unfortunately, it was not until just before the Christmas break that our friends decided to even turn back to this vital issue, and even then we had to listen to a filibuster against FISA reform. Then when we began this session, our Democratic colleagues delayed consideration of FISA reform again by moving to the Indian health care bill instead.

So here we are, once again, pushed up against a looming deadline. During last week's consideration of the FISA reauthorization, the majority said it would not consider a 60-vote threshold for votes. It did not offer time agreements, nor did it make any effort to limit the number of amendments.

In short, the Senate faces a legislative logjam that ensures that we will

let the February 1 deadline come and go without making a reasonable effort to enact a law.

It should not have turned out this way. The administration negotiated in good faith with the Democratic majority on the committee that has the technical, operational expertise to handle the subject. And in the course of painstaking negotiations, the administration made tough concessions to our Democratic colleagues. It did this in order to arrive at a fair, bipartisan result that would allow it to continue to protect the homeland. Now that work is being brushed aside.

The menu of amendments to the Intelligence Committee bill is little more than an effort to renegotiate this hard-won deal, an effort to deconstruct the bipartisan Intelligence Committee bill, and reconstruct, amendment by amendment, the divisive Judiciary Committee bill that was tabled by a strong bipartisan majority. That bill will not—I repeat, will not—become law.

Reconstructing the Judiciary Committee bill is a pointless exercise. And with only 5 days until the Protect America Act expires, it is an exercise in which we do not have the luxury to engage.

We can get serious and pass the bipartisan Intelligence Committee product or we can waste time on voting for poison pill amendments that weaken the bill and that will prevent it from becoming law.

I urge our colleagues to make the right choice, to vote for cloture so that we can continue to protect the homeland and against cloture on the 30-day extension. We cannot delay this important legislation for another month. Of course, the President will not sign a 30-day extension.

That said, if we cannot complete this bill, Republicans will not allow this critical program to expire and will offer a short-term extension, if necessary.

To be perfectly clear, I urge that there be a “yes” vote on cloture on the bill, a “no” vote on cloture on the 30-day extension, an amendment to the bill which actually would not achieve a 30-day extension anyway but I think is a place that we do not want to go on record as having supported because the President will not sign that anyway. And in the next few days, we will consider what kind of short-term options might be appropriate to let us get back to this very important legislation so painstakingly put together by the expert leadership of Senator ROCKEFELLER and Senator BOND.

I yield the floor.

Mr. ROCKEFELLER. Mr. President, I suggest the absence of a quorum, and I ask that the time involved be divided between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I apologize to my friends for keeping everyone waiting. It hasn't been long—a matter of a minute or so.

In a few hours, President Bush will stand across the way in the House Chamber and deliver his final State of the Union Address. This will be his eighth State of the Union Address. From what I have heard earlier today in my meetings with the press who met with him, it is a fair bet in this speech that he will continue the drumbeat started by Vice President CHENEY last week by trying to scare the American people into believing that if he does not get his way on the FISA bill now before us, America's national security will be gravely jeopardized.

I have said on more than one occasion in recent days we face a faltering economy here at home and a failing foreign policy abroad. So I call upon all of us, Democrats and Republicans, to rise above partisanship. I have also said on more than one occasion that we extend our hand to the President and congressional Republicans and ask them to join with us in a genuine spirit of bipartisanship. In my nearly 26 years, I have never seen anything quite as cynical and counterproductive as the Republican approach to FISA.

I gave the example in my last statement that it was a Catch-22 the President has put us in. The American people deserve to know when President Bush talks about the foreign intelligence legislation tonight that he is doing little more than shooting for cheap political points, and we should reject any statements he makes about this. Members of Congress from both parties have legitimate policy disagreements on FISA—both parties. Some of us believe that history proves the need for more protections against Government abuse. Others support the law the way it stands. Now, that is appropriate; people have different views and opinions on an important part of our legislation and our laws in the country. But all of us, Members of Congress, Democrats and Republicans, want to wage an effective fight against terror. All of us, Democrats and Republicans, want to give our intelligence professionals the tools they need to win this fight against terror.

We will be taking two votes. The first is on whether to invoke cloture on the Bond-Rockefeller substitute to the FISA bill we have on the floor. The second is a substitute, on whether to extend the authorities of the Protect America Act for another 30 days while Congress works to pass a new FISA bill.

I will oppose cloture on the substitute and support cloture on the extension. The extension will give the Congress time to debate and pass a long-term bill that protects America

without compromising the privacy of law-abiding Americans. Both the Intelligence Committee bill and the Judiciary Committee bill authorize the same surveillance tools our intelligence community needs. Democrats and Republicans stand together in all the terrorism fighting components of this bill. Some Democrats, including me, support the additional privacy protections in the Judiciary Committee bill. Others are satisfied with the protections in the Intelligence Committee bill.

Again, people are entitled to their opinions, but all of us believe the Senate should have an opportunity to vote on these important questions.

There was a nice piece written in one of the op-eds today talking about how the Republicans have talked a long time about all we want is an up-or-down vote. Well, if there were ever a time they should follow their own advice it is now—an up-or-down vote.

Many Democrats, including Chairman ROCKEFELLER, who has worked so hard, are going to oppose cloture on the substitute because they object—we object—to the heavy-handed tactics we saw with this legislation this past week. The Republican leader filed cloture on this bill after we had been on the floor for a few hours. Cloture was filed after Republicans blocked every amendment—every amendment—from being offered and blocked all amendments from getting votes. In simple terms, this means the Republicans were filibustering their own bill—their own legislation. Let me repeat that. The Republicans were filibustering their own legislation. In my time in the Senate, I can't remember this taking place.

Meanwhile, at the other end of Pennsylvania Avenue, President Bush has actually threatened to veto a temporary extension. Talk about trying to figure out what is in the mind of someone who is talking that way. Let us remember, a temporary extension would guarantee that all the terrorism fighting tools remain in effect. There is absolutely no policy or security problem with an extension. All it would do is give us more time to work this out on an uninterrupted basis. There is no reason to vote against an extension or for the President to veto one, except for political posturing.

None of us want the current law to expire. None of us want that to expire, except CHENEY and Bush. But if it does expire because of Republican tactics, surveillance will not end. Even if they stop us from extending the bill, it would not end. Surveillance would not end. All surveillance orders issued under the law we passed last August—the Protect America Act—are effective for a year, so they will continue until at least August of 2008—August of this year.

Even in a last resort—if the current law expires—our intelligence professionals can get surveillance orders under the FISA law as it has existed

for decades, before we passed the Protect America Act last August. FISA includes provisions for emergency warrantless surveillance, and it always has. Again, no one is arguing the law should be allowed to expire. Doing so would send the wrong message. But it still is going to allow the collection of this information. The safeguards in place ensure that our war on terror will not be adversely affected, and anyone who says otherwise—from the President on down—is not being truthful.

Why do Democrats seek an extension? We believe bipartisanship is appropriate when possible. The economic stimulus package shows us that when circumstances are difficult, we can work together. The Republican leadership's actions in this FISA debate have not given us reason for confidence that they are interested in working with us, but we owe it to the American people to give them every opportunity to do so.

We have requested a 30-day extension repeatedly—I have done it repeatedly—and each time the Republicans have said no. Compromise is a two-way street. Bipartisanship is a two-way street. As I said last week, we are willing to pass an extension of current law for 2 weeks, 30 days, 18 months, 14 months, 15 months or whatever our colleagues want, but we need to pass an extension now if we are to ensure the law doesn't expire. I have explained if it expires what happens.

The House is going out of session shortly. They have a retreat this week—after tomorrow. Already Democrats have introduced several amendments to strengthen the bill. Senator FEINGOLD sought a vote on his amendment to provide FISA Court documents to the Senate Intelligence Committee. Republicans blocked that. Senator WHITEHOUSE sought to offer an amendment to give the FISA Court authority to review compliance with minimization rules to protect the privacy of Americans whose communications are inadvertently intercepted. We were blocked from having that vote. Senator CARDIN sought to offer an amendment to sunset the legislation in 4 years rather than 6 years. Even that was blocked from having a vote. Senator KENNEDY offered an amendment—or I should say tried to offer one—providing for a report by the inspectors general of the relevant agencies to review the conduct of these programs in the past. No vote on that either. Senator FEINSTEIN sought to offer an amendment making crystal clear that FISA is the exclusive means by which the executive branch may conduct surveillance. Blocked by the Republicans.

Whether these amendments pass or not, we should be allowed to have votes on them. Senator FEINGOLD wasn't saying he wanted to talk for 2 hours. Senator FEINSTEIN wasn't saying she wanted to talk a long time. No one was—a short debate and have a vote on them. We were prevented from doing that.

So what does the Senate do? We take up bills all the time reported to us by committees. This is a little more complicated because we had two committees. It is not often we have concurrent jurisdiction, but there was here. But an eighth grade student could figure out what it is all about. It is not that difficult. Senators offer amendments to these bills and we let the Senate work its will. I don't understand how the Republicans can expect to block us from voting on any amendments and expect us to follow along. Senators are entitled to vote on their amendments.

Now, if someone is stalling—and we all went through that—there comes a time when you shut off the debate. But there is none of that here. With the Republicans blocking the amendments I have talked about, we haven't gotten to the crucial issue of immunity.

Mr. President, I will use my leader time now.

Let us not forget: The question of retroactive immunity wouldn't be before us if President Bush hadn't ignored Congress and established his own process outside the law. But far from taking responsibility for his actions, the President bullies and threatens the Congress he is supposed to be working with. He is similar to the kid in the school yard, the bully who says: OK, you are not doing what I want to do, so I am taking my ball home and none of us will be able to play.

When the President talks tonight about how important this program is and how it must continue, I say to him now that he must consider and reconsider his political posturing and ask his colleagues in the Senate to support an extension, especially when he is going to come and say how much he wants to work on a bipartisan basis.

We are a deliberative body. It was set up that way by the Founding Fathers. Let us deliberate. I urge my colleagues to oppose cloture on the substitute so the Senate can return to considering this bill. We must pass a bill that gives our intelligence authorities the tools they need while protecting the privacy of all Americans. I urge my colleagues to support the extension so we can ensure current authority doesn't expire while Congress works to pass a new and stronger FISA bill.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, and pursuant to rule XXII, the Chair lays before the Senate the following cloture motion which the clerk will report.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending substitute amendment to S. 2248, Foreign Intelligence Surveillance Act of 1978 Amendments Act of 2007.

Mitch McConnell, Christopher S. Bond, Kay Bailey Hutchison, Wayne Allard, Jon Kyl, Robert F. Bennett, Sam Brownback, John Thune, Pat Roberts,

John Barrasso, Chuck Grassley, Johnny Isakson, Lamar Alexander, Gordon H. Smith, Tom Coburn, Jim DeMint, Richard Burr.

Mr. REID. Mr. President, I ask unanimous consent that the second vote be of 10 minutes duration.

The PRESIDING OFFICER. Without objection, it is so ordered.

By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 3911, offered by the Senator from West Virginia, Mr. ROCKEFELLER, and the Senator from Missouri, Mr. BOND, to S. 2248, a bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Florida (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote "nay."

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from North Carolina (Mrs. DOLE), the Senator from Nevada (Mr. ENSIGN), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from North Carolina (Mrs. DOLE) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 45, as follows:

#### [Rollcall Vote No. 3 Leg.]

#### YEAS—48

Alexander	DeMint	McConnell
Allard	Domenici	Murkowski
Barrasso	Enzi	Nelson (NE)
Bennett	Graham	Pryor
Bond	Grassley	Roberts
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burr	Hatch	Smith
Chambliss	Hutchison	Snowe
Cochran	Inhofe	Stevens
Coleman	Isakson	Sununu
Collins	Kyl	Thune
Corker	Landrieu	Vitter
Cornyn	Lincoln	Voinovich
Craig	Lugar	Warner
Crapo	Martinez	Wicker

#### NAYS—45

Akaka	Dodd	McCaskill
Baucus	Dorgan	Menendez
Bayh	Durbin	Mikulski
Biden	Feingold	Murray
Bingaman	Feinstein	Obama
Boxer	Inouye	Reed
Brown	Johnson	Reid
Byrd	Kennedy	Rockefeller
Cantwell	Kerry	Salazar
Cardin	Klobuchar	Sanders
Carper	Kohl	Schumer
Casey	Lautenberg	
Clinton	Leahy	
Conrad	Levin	

Specter  
StabenowTester  
WebbWhitehouse  
Wyden

## NOT VOTING—7

Coburn  
Dole  
EnsignHarkin  
Lieberman  
McCain

Nelson (FL)

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Republican leader.

Mr. MCCONNELL. Mr. President, I wanted to take a moment to explain the next vote. The President indicated over the weekend that he would veto a 30-day extension. We have been dealing with this issue for almost a year. We have in the Rockefeller-Bond proposal a bipartisan compromise that came out of Intelligence 13 to 2. There is no need for a 30-day extension. But even if there were, you wouldn't get a 30-day extension by adding it to this bill. It is extremely important to oppose the 30-day extension. We know it won't become law on this bill. It wouldn't become law if it were passed free-standing, because the President would veto it. We may be talking about a very short-term extension here in the next few days, but we are still on FISA after today. We will not get off FISA until we make some determination of how we are going to dispose of this important measure.

I urge all my colleagues to vote against cloture on the 30-day extension amendment.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, we all acknowledge the Intelligence Committee did a good job on this piece of legislation. But the Intelligence Committee knew, everyone knew, there was concurrent referral of this legislation. It was always anticipated and believed, rightfully so, that the Judiciary Committee would take up this matter. And they did. They made some suggestions in the way of changes. We are entitled to vote on those. That is all we are asking. That isn't too unreasonable. For the President to not agree to any extension is unreasonable. The House is going to pass a 30-day extension in the morning. They are going to pass that. We are going to have the opportunity to vote on a 30-day extension. This would send an appropriate message to everyone that a 30-day extension is fair and reasonable. As I said in my remarks before the last vote, people are crying wolf a little too often. This legislation we have before us, if it doesn't pass, the work done by the Intelligence Committee and the Judiciary Committee will go for naught. But still, under the legislation we passed previously, the legislation will still be in effect. FISA is not gone. We all want to work to improve this. That is what this is all about. But we need some votes to do that. That is what we are asking.

Everyone here should understand, if you are voting today not to extend this

legislation for 30 days, you are going to have to vote on it in the near future because the House is sending us the exact same measure tomorrow.

## CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Reid amendment No. 3918 to S. 2248.

John D. Rockefeller, IV, Dianne Feinstein, Jeff Bingaman, Debbie Stabenow, Sheldon Whitehouse, Daniel K. Inouye, Charles E. Schumer, Thomas R. Carper, Bill Nelson, E. Benjamin Nelson, Frank R. Lautenberg, Richard Durbin, Ken Salazar, Tom Harkin, Sherrod Brown, Harry Reid.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, is it the sense of the Senate that debate on amendment No. 3918, offered by the Senator from Nevada, Mr. REID, to S. 2248, a bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that act, and for other purposes, shall be brought to a close.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Florida (Mr. NELSON) are necessarily absent.

I further announce that, if present and voting, the Senator from Iowa (Mr. HARKIN) would vote "yea."

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from North Carolina (Mrs. DOLE), the Senator from Nevada (Mr. ENSIGN), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from North Carolina (Mrs. DOLE) would have voted "nay."

The PRESIDING OFFICER (Mr. PRYOR). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 48, nays 45, as follows:

[Rollcall Vote No. 4 Leg.]

## YEAS—48

Akaka	Conrad	Lautenberg
Baucus	Dodd	Leahy
Bayh	Dorgan	Levin
Biden	Durbin	Lincoln
Bingaman	Feingold	McCaskill
Boxer	Feinstein	Menendez
Brown	Inouye	Mikulski
Byrd	Johnson	Murray
Cantwell	Kennedy	Nelson (NE)
Cardin	Kerry	Obama
Carper	Klobuchar	Pryor
Casey	Kohl	Reed
Clinton	Landrieu	Reid

Rockefeller  
Salazar  
SandersSchumer  
Stabenow  
TesterWebb  
Whitehouse  
Wyden

## NAYS—45

Alexander  
Allard  
Barrasso  
Bennett  
Bond  
Brownback  
Bunning  
Burr  
Chambliss  
Cochran  
Coleman  
Collins  
Corker  
Cornyn  
CraigCrapo  
DeMint  
Domenici  
Enzi  
Graham  
Grassley  
Gregg  
Hagel  
Hatch  
Hutchison  
Inhofe  
Isakson  
Kyl  
Lugar  
MartinezMcConnell  
Murkowski  
Roberts  
Sessions  
Shelby  
Smith  
Snowe  
Specter  
Stevens  
Sununu  
Thune  
Vitter  
Voinovich  
Warner  
Wicker

## NOT VOTING—7

Coburn  
Dole  
EnsignHarkin  
Lieberman  
McCain

Nelson (FL)

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. ROCKEFELLER. Mr. President, I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## MORNING BUSINESS

## HONORING OUR ARMED FORCES

SERGEANT JON MICHAEL SCHOOLCRAFT, III

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave soldier. SGT Jon Michael Schoolcraft, III, 26 years old, died January 19 in Taji, Iraq. Sergeant Schoolcraft died of injuries he sustained when an improvised explosive device detonated near his vehicle. With an optimistic future before him, Jon risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Jon Schoolcraft, called Mike by his friends, graduated from Wapakoneta High School in Ohio in 2001. Growing up in Ohio with his mother, Cindy Schoolcraft-Hooker, Mike also spent time in Madison, IN, visiting his father, Mike Schoolcraft, Jr. Mike excelled at sports and particularly enjoyed skateboarding. His sense of duty to his country and a desire to see the world drove him to enroll in the Army's Delayed Entry Program while in high school.

After serving a first tour in Iraq, Mike reenlisted, telling a friend that he could not imagine doing anything other than being a soldier. In November of last year, Mike married his wife Amber and decided that his next tour in Iraq would be his last so they could begin a family. Mike was assigned to C Company, 1st Battalion, 27th Infantry Regiment, 25th Infantry Division in Schofield Barracks, HI. For his extraordinary service, Mike was posthumously awarded the Purple Heart.

Today, I join Mike's family and friends in mourning his death. While

we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Mike. Today and always, Mike will be remembered by family members, friends and fellow soldiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Mike's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Mike's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of SGT Jon Michael Schoolcraft, III, in the RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Mike's can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Mike.

#### SMALL BUSINESS STIMULUS ACT

Mr. KERRY. Mr. President, over the past few months, our country has experienced instability and volatility in its credit markets. This looming credit crisis is affecting virtually every sector of the economy, including small business financing.

Since its inception in 1953, the Small Business Administration's 7(a) loan guaranty program has become the largest single source of long-term capital for small businesses. However, in the wake of the credit crunch and a slowing U.S. economy, we are now noticing that this essential financing resource is not serving nearly as many small businesses as it should. For example, during the first quarter of the 2008 fiscal year, 7(a) lending was down by 12 percent compared with the same period last year. In addition, at his State of the Agency Address this past Tuesday, SBA Administrator Steven Preston acknowledged that SBA lending was down in its largest program.

The Small Business Stimulus Act of 2008 will help reverse this downward trend in small business lending. The

bill will temporarily reduce the fees collected from borrowers and lenders. This will immediately reduce the cost of capital for small businesses. With lower monthly loan payments, more money will be placed into the hands of small business owners money that will be quickly injected into the economy through purchases of inventory, real estate, and equipment. The fee reduction for lenders, coupled with the government guarantee, will give them an incentive to make 7(a) loans, as banks are scrambling for ways to salvage declining revenues and take on less risky loans. A similar stimulus was adopted after 9/11, and lending increased to businesses nationwide, pumping almost \$3 billion into local economies and creating or retaining more than 90,000 jobs.

The bill also provides additional funding for the SBA's microloan program. As its name implies, microloans are small-scale business loans, which provide an essential financing source to underserved members of the business population, including women and minorities. This bill provides \$12 million to expand the SBA's microloan program, including \$2 million that will help leverage nearly \$20 million in microloans.

The Small Business Stimulus Act of 2008 also includes two business tax incentives that will help small businesses that are feeling the impact of the economic downturn. The first provision would increase the amount that businesses can expense from \$125,000 to \$200,000 for 2008. This will help businesses immediately write off business purchases. The second provision increases the net operating carry back period for losses arising in taxable years ending in 2007 and 2008 from 2 years to 5 years. This provision will help business with cash flow. Expanding the carry back allows business owners to balance out net losses over years when the business has had a net operating gain.

I am confident that each of these targeted measures will provide timely, effective incentives to spur spending and encourage new investment and job growth in the hundreds of thousands of small businesses that drive this Nation's economy.

#### REMEMBERING THE UKRAINIAN FAMINE

Mr. VOINOVICH. Mr. President, I wish to remember the trials faced by the Ukrainian people and to pay tribute to their fortitude and love of freedom. At times in its history, Ukraine has been exploited and suffered greatly under repressive occupations. The Stalinist regime of the former Soviet Union sought to maintain control of the people and resources of the Ukraine through vicious oppression. The Ukrainian people have weathered many trials, but they have always fought for their freedom. It is my belief that as we embrace Ukraine's future, we must

always remember the hardships of its past.

The Ukrainian peasantry rebelled against the collectivization policies imposed on them by the Stalinist regime starting in 1925. It is documented that very few farmers voluntarily joined collectives until Soviet secret police and Bolshevik brigades were sent to crush the resistance. As agricultural production fell in 1932 due to drought and these Stalinist policies, the regime attempted to maintain its export level. To do this the regime brutally confiscated grain and foodstuffs from hunger-stricken villages. Trade and supplies of food and goods were banned from those villages which were considered to be "underperforming," while families who resisted were banished to central Asia. The totalitarian regime meted out harsh sentences, even the death penalty, against those who stole even small amounts of grain. We can never forget that over 2,000 innocent people, including children as young as 12 years old, were executed under this law.

In 1932, Stalin imposed barricades throughout the USSR to prevent peasants from fleeing those regions stricken by famine. It was a state-organized program of mass starvation against the nation of Ukraine as a whole and the revived Ukrainian nationalism. It had been inflicted on them deliberately to punish Ukraine and destroy the basis of its nationhood. The famine-genocide of the Holodomor resulted in the tragic and unforgettable loss of millions of Ukrainian lives. Nevertheless, the Stalinist regime denied reports of mass deaths and forbade travel to the area to deter foreign journalists from reporting on these terrible crimes. In fact, these horrible crimes remained largely unknown to the broader world for decades as a result of the denials and coverups of the Soviet authorities and their refusal of offers of international aid.

Through its determination to remember the victims of the famine and Soviet oppression, the Ukrainian American community has helped to bring these events to light. Their efforts have helped to give a voice to the millions of people who suffered, starved, and died as a result of a flawed policy and authoritarian regime.

On the 75th anniversary of the Ukrainian famine-genocide, we must continue the important work of the Ukrainian American community by remembering the cruel injustices suffered by the Ukrainian people during that part of history. By so doing, we are not only honoring the millions of victims of this oppression, but we are helping to prevent a tragedy like this from happening again in the future.

#### CURRENT ELECTORAL CRISIS IN KENYA

Mr. FEINGOLD. Mr. President, just over 1 month ago, in the days before the December 27 president election, I

noted that it had become the closest political contest in that country's history and that the two leading candidates were running robust, active campaigns. Although I also acknowledged the persistence of a deeply entrenched culture of corruption, I was encouraged by the growing engagement of Kenyan citizens and civil society organizations during the relatively peaceful, well-run, and competitive campaign season. I joined many others in hoping that the presidential and parliamentary elections held on that day would confirm Kenya's place among the world's most promising emerging economies and young democracies. Instead, that hope turned to dismay as we watched a blatant disregard for democratic principles and processes by the ruling party and an extraordinary disrespect for rule of law and human rights by both leading candidates' parties. The serious allegations of vote rigging, the rushed declaration of a presidential winner, and the destructive violence that have ensued are not only hurting the Kenyan people—they are jeopardizing Kenya's previous democratic progress.

With Somalia, Ethiopia, Sudan, and Uganda as neighbors in the volatile Horn of Africa, Kenya has long been regarded as a stable country making slow but persistent progress towards democracy. Kenya's press and courts seemed to be asserting their independence from the president-dominated government, and the mere fact that all pre-election opinion polls put the incumbent president neck-and-neck with his challenger from the main opposition party seemed to be an encouraging sign of a vibrant democracy. But on December 27 and in the days that followed, this progress came to a grinding halt. The Kenyan election suffered a fate all too common in Africa, with the votes tallied behind closed doors and the results finally announced by Kenya's Electoral Commission suggesting significant rigging.

The resulting frustration and deadlock have sparked violence, looting, destruction of property, and disruption of normal activity, creating an economic and humanitarian emergency on top of the current political crisis. Hundreds have been killed—some of them because of disproportionate use of force by Kenyan police as they seek to quell protests—and tens of thousands have fled their homes. Trust in the government, law enforcement, and even in one's neighbor has been seriously undermined.

The rival political leaders—incumbent President Mwai Kibaki and leader of the Orange Democratic Movement opposition party, Raila Odinga—can work to end this violence and destruction by refraining from using, inciting or condoning violent tactics. In recent days, Mr. Odinga and his supporters have demonstrated noteworthy restraint and it is essential that both parties respect the importance of a peaceful resolution as they begin to participate in an internationally bro-

kered dialogue, led by former U.N. Secretary General Kofi Annan.

It is early days yet, and it remains unclear how committed these leading candidates are to seeing the negotiation through to the finish line. Although he has agreed to participate in an internationally brokered meeting with Mr. Odinga, Mr. Kibaki has been less than cooperative by rushing to appoint his own cronies to top cabinet positions and declaring he will follow the recommendations only of the Kenyan courts, which are also packed with his supporters. A political settlement is a key element in working through this electoral crisis but it must be part of a greater initiative that includes institutional reform. The road ahead is long, and I remain concerned that while both leading candidates have come to the table for negotiations, they could still decide to abandon the effort.

The past few weeks have shown how superficial Kenya's democratic gains may really have been. Now the international community—and the United States in particular—must live up to its rhetoric in favor of free and fair elections and institutional building. Many of the other countries that have suffered botched elections had a long history of such fraud but if this relatively stable and prosperous country is allowed to abandon its democratic experiment, the appeal of democracy will inevitably dim around the world. The citizens of Kenya as well as those from around the world had higher expectations for Kenya.

Resolving Kenya's current political, humanitarian, and economic crisis will require a coordinated international effort to engage all players in identifying and addressing the deeper problems that allowed the election fraud to occur and to ignite such a wave of outrage. Although a power-sharing agreement will likely be part of the solution, serious underlying problems need to be addressed. The challenges facing Kenya include an over-concentration of power in the office of the president, insufficient independence of the judiciary and electoral institutions, the need for professionalization of police and armed forces, and a persistent lack of transparency and inclusiveness throughout the political system. Only by addressing these root causes of the recent conflict will Kenya be able to truly restore stability and emerge from this crisis a stronger and more prosperous nation. Such a task will not be quick, easy, or cheap, but the alternative—not seizing this chance to bring about essential political reform—would be enduring, complex, and costly.

Last week, along with my ranking member on the Senate Subcommittee on African Affairs, Senator SUNUNU, and Senators CARDIN and KERRY, I introduced a resolution to encourage the United States and the wider international community to resist the temptation for a quick fix in Kenya and to instead pursue a more intensive, encompassing plan for political transi-

tion and transformation. I hope the Senate will pass this resolution shortly. The administration has played an active role—sending Assistant Secretary Frazer to Nairobi shortly after the elections to meet with both leading candidates—and I know Ambassador Ranneberger has been actively engaged in-country. But we need to see greater collaboration from all donors—with one consistent message that helps move Kenya to the next stage. I hope that Members of Congress from both parties will come together to support this initiative and the diplomatic and humanitarian efforts in Kenya that must follow in the coming weeks and months.

The U.S.-Kenya partnership is a long-standing and important one, but I cannot condone a continued relationship with a government that has apparently stolen an election and uses tactics of fear and intimidation to address dissent. This is not the Kenya I have come to know, and I am sure, not the Kenya its citizens want to know. We must close this devastating chapter by addressing the reasons for the electoral crisis and ensuing violence. Without such vital work, our historic partnership will deteriorate. There is a window of opportunity to ensure this does not happen, and I encourage all key actors to seize upon this opening. Above all, I want to see violence end and hope restored in Kenya.

#### VOTE EXPLANATION

Mr. NELSON of Florida. Mr. President, I was necessarily absent for today's cloture votes on the Rockefeller-Bond Substitute amendment No. 3911 and the Reid amendment No. 3918 to S. 2246, the FISA legislation. Had I been present, I would have voted "no" on No. 3911 and "aye" on No. 3918.

I believe that now is the time for the full Senate to consider and debate the difficult questions raised in this legislation. The Senate should consider and vote on important amendments relating to the protection of Americans' civil liberties and the question of immunity for telecommunications providers.

#### REPORT ON THE STATE OF THE UNION DELIVERED TO A JOINT SESSION OF CONGRESS ON JANUARY 28, 2008—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was ordered to lie on the table:

*To the Congress of the United States:*

Madam Speaker, Vice President CHENEY, Members of Congress, distinguished guests, and fellow citizens:

Seven years have passed since I first stood before you at this rostrum. In that time, our country has been tested



in ways none of us could have imagined. We have faced hard decisions about peace and war, rising competition in the world economy, and the health and welfare of our citizens. These issues call for vigorous debate, and I think it's fair to say we've answered that call. Yet history will record that amid our differences, we acted with purpose. And together, we showed the world the power and resilience of American self-government.

All of us were sent to Washington to carry out the people's business. That is the purpose of this body. It is the meaning of our oath. And it remains our charge to keep.

The actions of the 110th Congress will affect the security and prosperity of our Nation long after this session has ended. In this election year, let us show our fellow Americans that we recognize our responsibilities and are determined to meet them. And let us show them that Republicans and Democrats can compete for votes and cooperate for results at the same time.

From expanding opportunity to protecting our country, we have made good progress. Yet we have unfinished business before us, and the American people expect us to get it done.

In the work ahead, we must be guided by the philosophy that made our Nation great. As Americans, we believe in the power of individuals to determine their destiny and shape the course of history. We believe that the most reliable guide for our country is the collective wisdom of ordinary citizens. So in all we do, we must trust in the ability of free people to make wise decisions, and empower them to improve their lives and their futures.

To build a prosperous future, we must trust people with their own money and empower them to grow our economy. As we meet tonight, our economy is undergoing a period of uncertainty. America has added jobs for a record 52 straight months, but jobs are now growing at a slower pace. Wages are up, but so are prices for food and gas. Exports are rising, but the housing market has declined. And at kitchen tables across our country, there is concern about our economic future.

In the long run, Americans can be confident about our economic growth. But in the short run, we can all see that growth is slowing. So last week, my Administration reached agreement with Speaker PELOSI and Republican Leader BOEHNER on a robust growth package that includes tax relief for individuals and families and incentives for business investment. The temptation will be to load up the bill. That would delay it or derail it, and neither option is acceptable. This is a good agreement that will keep our economy growing and our people working. And this Congress must pass it as soon as possible.

We have other work to do on taxes. Unless the Congress acts, most of the tax relief we have delivered over the past 7 years will be taken away. Some

in Washington argue that letting tax relief expire is not a tax increase. Try explaining that to 116 million American taxpayers who would see their taxes rise by an average of \$1,800. Others have said they would personally be happy to pay higher taxes. I welcome their enthusiasm, and I am pleased to report that the IRS accepts both checks and money orders.

Most Americans think their taxes are high enough. With all the other pressures on their finances, American families should not have to worry about the Federal Government taking a bigger bite out of their paychecks. There is only one way to eliminate this uncertainty: make the tax relief permanent. And Members of Congress should know: If any bill raising taxes reaches my desk, I will veto it.

Just as we trust Americans with their own money, we need to earn their trust by spending their tax dollars wisely. Next week, I will send you a budget that terminates or substantially reduces 151 wasteful or bloated programs totaling more than \$18 billion. And this budget will keep America on track for a surplus in 2012. American families have to balance their budgets, and so should their Government.

The people's trust in their Government is undermined by congressional earmarks—special interest projects that are often snuck in at the last minute, without discussion or debate. Last year, I asked you to voluntarily cut the number and cost of earmarks in half. I also asked you to stop slipping earmarks into committee reports that never even come to a vote. Unfortunately, neither goal was met. So this time, if you send me an appropriations bill that does not cut the number and cost of earmarks in half, I will send it back to you with my veto. And tomorrow, I will issue an Executive Order that directs Federal agencies to ignore any future earmark that is not voted on by the Congress. If these items are truly worth funding, the Congress should debate them in the open and hold a public vote.

Our shared responsibilities extend beyond matters of taxes and spending.

On housing, we must trust Americans with the responsibility of homeownership and empower them to weather turbulent times in the housing market. My administration brought together the HOPE NOW alliance, which is helping many struggling homeowners avoid foreclosure. The Congress can help even more. Tonight I ask you to pass legislation to reform Fannie Mae and Freddie Mac, modernize the Federal Housing Administration, and allow State housing agencies to issue tax-free bonds to help homeowners refinance their mortgages. These are difficult times for many American families, and by taking these steps, we can help more of them keep their homes.

To build a future of quality health care, we must trust patients and doctors to make medical decisions and em-

power them with better information and better options. We share a common goal: making health care more affordable and accessible for all Americans. The best way to achieve that goal is by expanding consumer choice, not government control. So I have proposed ending the bias in the tax code against those who do not get their health insurance through their employer. This one reform would put private coverage within reach for millions, and I call on the Congress to pass it this year. The Congress must also expand health savings accounts, create Association Health Plans for small businesses, promote health information technology, and confront the epidemic of junk medical lawsuits. With all these steps, we will help ensure that decisions about your medical care are made in the privacy of your doctor's office—not in the halls of Congress.

On education, we must trust students to learn if given the chance and empower parents to demand results from our schools. In neighborhoods across our country, there are boys and girls with dreams—and a decent education is their only hope of achieving them. Six years ago, we came together to pass the No Child Left Behind Act, and today no one can deny its results. Last year, fourth and eighth graders achieved the highest math scores on record. Reading scores are on the rise. And African-American and Hispanic students posted alltime highs. Now we must work together to increase accountability, add flexibility for States and districts, reduce the number of high school dropouts, and provide extra help for struggling schools. Members of Congress: The No Child Left Behind Act is a bipartisan achievement. It is succeeding. And we owe it to America's children, their parents, and their teachers to strengthen this good law.

We must also do more to help children when their schools do not measure up. Thanks to the D.C. Opportunity Scholarships you approved, more than 2,600 of the poorest children in our Nation's capital have found new hope at a faith-based or other non-public school. Sadly, these schools are disappearing at an alarming rate in many of America's inner cities. So I will convene a White House summit aimed at strengthening these lifelines of learning. And to open the doors of these schools to more children, I ask you to support a new \$300 million program called Pell Grants for Kids. We have seen how Pell Grants help low-income college students realize their full potential. Together, we have expanded the size and reach of these grants. Now let's apply that same spirit to help liberate poor children trapped in failing public schools.

On trade, we must trust American workers to compete with anyone in the world and empower them by opening up new markets overseas. Today, our economic growth increasingly depends on our ability to sell American goods, crops, and services all over the world.

So we are working to break down barriers to trade and investment wherever we can. We are working for a successful Doha round of trade talks, and we must complete a good agreement this year. At the same time, we are pursuing opportunities to open up new markets by passing free trade agreements.

I thank the Congress for approving a good agreement with Peru. Now I ask you to approve agreements with Colombia, Panama, and South Korea. Many products from these nations now enter America duty-free, yet many of our products face steep tariffs in their markets. These agreements will level the playing field. They will give us better access to nearly 100 million customers. And they will support good jobs for the finest workers in the world: those whose products say "Made in the USA."

These agreements also promote America's strategic interests. The first agreement that will come before you is with Colombia, a friend of America that is confronting violence and terror and fighting drug traffickers. If we fail to pass this agreement, we will embolden the purveyors of false populism in our hemisphere. So we must come together, pass this agreement, and show our neighbors in the region that democracy leads to a better life.

Trade brings better jobs, better choices, and better prices. Yet for some Americans, trade can mean losing a job, and the Federal Government has a responsibility to help. I ask the Congress to reauthorize and reform trade adjustment assistance, so we can help these displaced workers learn new skills and find new jobs.

To build a future of energy security, we must trust in the creative genius of American researchers and entrepreneurs and empower them to pioneer a new generation of clean energy technology. Our security, our prosperity, and our environment all require reducing our dependence on oil. Last year, I asked you to pass legislation to reduce oil consumption over the next decade, and you responded. Together we should take the next steps: Let us fund new technologies that can generate coal power while capturing carbon emissions. Let us increase the use of renewable power and emissions-free nuclear power. Let us continue investing in advanced battery technology and renewable fuels to power the cars and trucks of the future. Let us create a new international clean technology fund, which will help developing nations like India and China make greater use of clean energy sources. And let us complete an international agreement that has the potential to slow, stop, and eventually reverse the growth of greenhouse gases. This agreement will be effective only if it includes commitments by every major economy and gives none a free ride. The United States is committed to strengthening our energy security and confronting global climate change. And the best way to meet these goals is for America to continue

leading the way toward the development of cleaner and more efficient technology.

To keep America competitive into the future, we must trust in the skill of our scientists and engineers and empower them to pursue the breakthroughs of tomorrow. Last year, the Congress passed legislation supporting the American Competitiveness Initiative, but never followed through with the funding. This funding is essential to keeping our scientific edge. So I ask the Congress to double Federal support for critical basic research in the physical sciences and ensure America remains the most dynamic nation on earth.

On matters of science and life, we must trust in the innovative spirit of medical researchers and empower them to discover new treatments while respecting moral boundaries. In November, we witnessed a landmark achievement when scientists discovered a way to reprogram adult skin cells to act like embryonic stem cells. This breakthrough has the potential to move us beyond the divisive debates of the past by extending the frontiers of medicine without the destruction of human life. So we are expanding funding for this type of ethical medical research. And as we explore promising avenues of research, we must also ensure that all life is treated with the dignity it deserves. So I call on the Congress to pass legislation that bans unethical practices such as the buying, selling, patenting, or cloning of human life.

On matters of justice, we must trust in the wisdom of our Founders and empower judges who understand that the Constitution means what it says. I have submitted judicial nominees who will rule by the letter of the law, not the whim of the gavel. Many of these nominees are being unfairly delayed. They are worthy of confirmation, and the Senate should give each of them a prompt up-or-down vote.

In communities across our land, we must trust in the good heart of the American people and empower them to serve their neighbors in need. Over the past 7 years, more of our fellow citizens have discovered that the pursuit of happiness leads to the path of service. Americans have volunteered in record numbers. Charitable donations are higher than ever. Faith-based groups are bringing hope to pockets of despair, with newfound support from the Federal Government. And to help guarantee equal treatment for faith-based organizations when they compete for Federal funds, I ask you to permanently extend Charitable Choice.

Tonight the armies of compassion continue the march to a new day in the Gulf Coast. America honors the strength and resilience of the people of this region. We reaffirm our pledge to help them build stronger and better than before. And tonight I am pleased to announce that in April we will host this year's North American Summit of Canada, Mexico, and the United States in the great city of New Orleans.

There are two other pressing challenges that I have raised repeatedly before this body, and that this body has failed to address: entitlement spending and immigration.

Every Member in this Chamber knows that spending on entitlement programs like Social Security, Medicare, and Medicaid is growing faster than we can afford. And we all know the painful choices ahead if America stays on this path: massive tax increases, sudden and drastic cuts in benefits, or crippling deficits. I have laid out proposals to reform these programs. Now I ask Members of Congress to offer your proposals and come up with a bipartisan solution to save these vital programs for our children and grandchildren.

The other pressing challenge is immigration. America needs to secure our borders—and with your help, my administration is taking steps to do so. We are increasing worksite enforcement, we are deploying fences and advanced technologies to stop illegal crossings, we have effectively ended the policy of "catch and release" at the border, and by the end of this year, we will have doubled the number of border patrol agents. Yet we also need to acknowledge that we will never fully secure our border until we create a lawful way for foreign workers to come here and support our economy. This will take pressure off the border and allow law enforcement to concentrate on those who mean us harm. We must also find a sensible and humane way to deal with people here illegally. Illegal immigration is complicated, but it can be resolved. And it must be resolved in a way that upholds both our laws and our highest ideals.

This is the business of our Nation here at home. Yet building a prosperous future for our citizens also depends on confronting enemies abroad and advancing liberty in troubled regions of the world.

Our foreign policy is based on a clear premise: We trust that people, when given the chance, will choose a future of freedom and peace. In the last 7 years, we have witnessed stirring moments in the history of liberty. We have seen citizens in Georgia and Ukraine stand up for their right to free and fair elections. We have seen people in Lebanon take to the streets to demand their independence. We have seen Afghans emerge from the tyranny of the Taliban to choose a new president and a new parliament. We have seen jubilant Iraqis holding up ink-stained fingers and celebrating their freedom. And these images of liberty have inspired us.

In the past 7 years, we have also seen images that have sobered us. We have watched throngs of mourners in Lebanon and Pakistan carrying the caskets of beloved leaders taken by the assassin's hand. We have seen wedding guests in blood-soaked finery staggering from a hotel in Jordan, Afghans and Iraqis blown up in mosques and

markets, and trains in London and Madrid ripped apart by bombs. And on a clear September day, we saw thousands of our fellow citizens taken from us in an instant. These horrific images serve as a grim reminder: The advance of liberty is opposed by terrorists and extremists—evil men who despise freedom, despise America, and aim to subject millions to their violent rule.

Since September 11, we have taken the fight to these terrorists and extremists. We will stay on the offense, we will keep up the pressure, and we will deliver justice to the enemies of America.

We are engaged in the defining ideological struggle of the 21st century. The terrorists oppose every principle of humanity and decency that we hold dear. Yet in this war on terror, there is one thing we and our enemies agree on: In the long run, men and women who are free to determine their own destinies will reject terror and refuse to live in tyranny. That is why the terrorists are fighting to deny this choice to people in Lebanon, Iraq, Afghanistan, Pakistan, and the Palestinian Territories. And that is why, for the security of America and the peace of the world, we are spreading the hope of freedom.

In Afghanistan, America, our 25 NATO allies, and 15 partner nations are helping the Afghan people defend their freedom and rebuild their country. Thanks to the courage of these military and civilian personnel, a nation that was once a safe haven for al Qaida is now a young democracy where boys and girls are going to school, new roads and hospitals are being built, and people are looking to the future with new hope. These successes must continue, so we are adding 3,200 Marines to our forces in Afghanistan, where they will fight the terrorists and train the Afghan Army and police. Defeating the Taliban and al Qaida is critical to our security, and I thank the Congress for supporting America's vital mission in Afghanistan.

In Iraq, the terrorists and extremists are fighting to deny a proud people their liberty and to establish safe havens for attacks across the world. One year ago, our enemies were succeeding in their efforts to plunge Iraq into chaos. So we reviewed our strategy and changed course. We launched a surge of American forces into Iraq. And we gave our troops a new mission: Work with Iraqi forces to protect the Iraqi people, pursue the enemy in its strongholds, and deny the terrorists sanctuary anywhere in the country.

The Iraqi people quickly realized that something dramatic had happened. Those who had worried that America was preparing to abandon them instead saw tens of thousands of American forces flowing into their country. They saw our forces moving into neighborhoods, clearing out the terrorists, and staying behind to ensure the enemy did not return. And they saw our troops, along with Pro-

vincial Reconstruction Teams that include Foreign Service Officers and other skilled public servants, coming in to ensure that improved security was followed by improvements in daily life. Our military and civilians in Iraq are performing with courage and distinction, and they have the gratitude of our whole Nation.

The Iraqis launched a surge of their own. In the fall of 2006, Sunni tribal leaders grew tired of al Qaida's brutality and started a popular uprising called "The Anbar Awakening." Over the past year, similar movements have spread across the country. And today, this grassroots surge includes more than 80,000 Iraqi citizens who are fighting the terrorists. The government in Baghdad has stepped forward as well—adding more than 100,000 new Iraqi soldiers and police during the past year.

While the enemy is still dangerous and more work remains, the American and Iraqi surges have achieved results few of us could have imagined just 1 year ago:

When we met last year, many said containing the violence was impossible. A year later, high profile terrorist attacks are down, civilian deaths are down, and sectarian killings are down.

When we met last year, militia extremists—some armed and trained by Iran—were wreaking havoc in large areas of Iraq. A year later, Coalition and Iraqi forces have killed or captured hundreds of militia fighters. And Iraqis of all backgrounds increasingly realize that defeating these militia fighters is critical to the future of their country.

When we met last year, al Qaida had sanctuaries in many areas of Iraq, and their leaders had just offered American forces safe passage out of the country. Today, it is al Qaida that is searching for safe passage. They have been driven from many of the strongholds they once held, and over the past year, we have captured or killed thousands of extremists in Iraq, including hundreds of key al Qaida leaders and operatives. Last month, Osama bin Laden released a tape in which he railed against Iraqi tribal leaders who have turned on al Qaida and admitted that Coalition forces are growing stronger in Iraq. Ladies and gentlemen, some may deny the surge is working, but among the terrorists there is no doubt. Al Qaida is on the run in Iraq, and this enemy will be defeated.

When we met last year, our troop levels in Iraq were on the rise. Today, because of the progress just described, we are implementing a policy of "return on success," and the surge forces we sent to Iraq are beginning to come home.

This progress is a credit to the valor of our troops and the brilliance of their commanders. This evening, I want to speak directly to our men and women on the front lines. Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen: In the past year, you have done everything we have asked of you, and

more. Our Nation is grateful for your courage. We are proud of your accomplishments. And tonight in this hallowed chamber, with the American people as our witness, we make you a solemn pledge: In the fight ahead, you will have all you need to protect our Nation. And I ask the Congress to meet its responsibilities to these brave men and women by fully funding our troops.

Our enemies in Iraq have been hit hard. They are not yet defeated, and we can still expect tough fighting ahead. Our objective in the coming year is to sustain and build on the gains we made in 2007, while transitioning to the next phase of our strategy. American troops are shifting from leading operations, to partnering with Iraqi forces, and, eventually, to a protective overwatch mission. As part of this transition, one Army brigade combat team and one Marine Expeditionary Unit have already come home and will not be replaced. In the coming months, four additional brigades and two Marine battalions will follow suit. Taken together, this means more than 20,000 of our troops are coming home.

Any further drawdown of U.S. troops will be based on conditions in Iraq and the recommendations of our commanders. General Petraeus has warned that too fast a drawdown could result in the "disintegration of the Iraqi Security Forces, al Qaida-Iraq regaining lost ground, [and] a marked increase in violence." Members of Congress: Having come so far and achieved so much, we must not allow this to happen.

In the coming year, we will work with Iraqi leaders as they build on the progress they are making toward political reconciliation. At the local level, Sunnis, Shia, and Kurds are beginning to come together to reclaim their communities and rebuild their lives. Progress in the provinces must be matched by progress in Baghdad. And we are seeing some encouraging signs. The national government is sharing oil revenues with the provinces. The parliament recently passed both a pension law and de-Ba'athification reform. Now they are debating a provincial powers law. The Iraqis still have a distance to travel. But after decades of dictatorship and the pain of sectarian violence, reconciliation is taking place—and the Iraqi people are taking control of their future.

The mission in Iraq has been difficult and trying for our Nation. But it is in the vital interest of the United States that we succeed. A free Iraq will deny al Qaida a safe haven. A free Iraq will show millions across the Middle East that a future of liberty is possible. And a free Iraq will be a friend of America, a partner in fighting terror, and a source of stability in a dangerous part of the world.

By contrast, a failed Iraq would embolden extremists, strengthen Iran, and give terrorists a base from which to launch new attacks on our friends, our allies, and our homeland. The enemy has made its intentions clear. At a

time when the momentum seemed to favor them, al Qaida's top commander in Iraq declared that they will not rest until they have attacked us here in Washington. My fellow Americans: We will not rest either. We will not rest until this enemy has been defeated. We must do the difficult work today, so that years from now people will look back and say that this generation rose to the moment, prevailed in a tough fight, and left behind a more hopeful region and a safer America.

We are also standing against the forces of extremism in the Holy Land, where we have new cause for hope. Palestinians have elected a president who recognizes that confronting terror is essential to achieving a state where his people can live in dignity and at peace with Israel. Israelis have leaders who recognize that a peaceful, democratic Palestinian state will be a source of lasting security. This month in Ramallah and Jerusalem, I assured leaders from both sides that America will do, and I will do, everything we can to help them achieve a peace agreement that defines a Palestinian state by the end of this year. The time has come for a Holy Land where a democratic Israel and a democratic Palestine live side-by-side in peace.

We are also standing against the forces of extremism embodied by the regime in Tehran. Iran's rulers oppress a good and talented people. And wherever freedom advances in the Middle East, it seems the Iranian regime is there to oppose it. Iran is funding and training militia groups in Iraq, supporting Hezbollah terrorists in Lebanon, and backing Hamas' efforts to undermine peace in the Holy Land. Tehran is also developing ballistic missiles of increasing range and continues to develop its capability to enrich uranium, which could be used to create a nuclear weapon. Our message to the people of Iran is clear: We have no quarrel with you, we respect your traditions and your history, and we look forward to the day when you have your freedom. Our message to the leaders of Iran is also clear: Verifiably suspend your nuclear enrichment, so negotiations can begin. And to rejoin the community of nations, come clean about your nuclear intentions and past actions, stop your oppression at home, and cease your support for terror abroad. But above all, know this: America will confront those who threaten our troops, we will stand by our allies, and we will defend our vital interests in the Persian Gulf.

On the homefront, we will continue to take every lawful and effective measure to protect our country. This is our most solemn duty. We are grateful that there has not been another attack on our soil since September 11. This is not for a lack of desire or effort on the part of the enemy. In the past 6 years, we have stopped numerous attacks, including a plot to fly a plane into the tallest building in Los Angeles and another to blow up passenger jets bound

for America over the Atlantic. Dedicated men and women in our Government toil day and night to stop the terrorists from carrying out their plans. These good citizens are saving American lives, and everyone in this chamber owes them our thanks. And we owe them something more: We owe them the tools they need to keep our people safe.

One of the most important tools we can give them is the ability to monitor terrorist communications. To protect America, we need to know who the terrorists are talking to, what they are saying, and what they are planning. Last year, the Congress passed legislation to help us do that. Unfortunately, the Congress set the legislation to expire on February 1. This means that if you do not act by Friday, our ability to track terrorist threats would be weakened and our citizens will be in greater danger. The Congress must ensure the flow of vital intelligence is not disrupted. The Congress must pass liability protection for companies believed to have assisted in the efforts to defend America. We have had ample time for debate. The time to act is now.

Protecting our Nation from the dangers of a new century requires more than good intelligence and a strong military. It also requires changing the conditions that breed resentment and allow extremists to prey on despair. So America is using its influence to build a freer, more hopeful, and more compassionate world. This is a reflection of our national interest and the calling of our conscience.

America is opposing genocide in Sudan and supporting freedom in countries from Cuba and Zimbabwe to Belarus and Burma.

America is leading the fight against global poverty, with strong education initiatives and humanitarian assistance. We have also changed the way we deliver aid by launching the Millennium Challenge Account. This program strengthens democracy, transparency, and the rule of law in developing nations, and I ask you to fully fund this important initiative.

America is leading the fight against global hunger. Today, more than half the world's food aid comes from the United States. And tonight, I ask the Congress to support an innovative proposal to provide food assistance by purchasing crops directly from farmers in the developing world, so we can build up local agriculture and help break the cycle of famine.

America is leading the fight against disease. With your help, we are working to cut by half the number of malaria-related deaths in 15 African nations. And our Emergency Plan for AIDS Relief is treating 1.4 million people. We can bring healing and hope to many more. So I ask you to maintain the principles that have changed behavior and made this program a success. And I call on you to double our initial commitment to fighting HIV/AIDS by approving an additional \$30 billion over the next 5 years.

America is a force for hope in the world because we are a compassionate people, and some of the most compassionate Americans are those who have stepped forward to protect us. We must keep faith with all who have risked life and limb so that we might live in freedom and peace. Over the past 7 years, we have increased funding for veterans by more than 95 percent. As we increase funding, we must also reform our veterans system to meet the needs of a new war and a new generation. I call on the Congress to enact the reforms recommended by Senator Bob Dole and Secretary Donna Shalala, so we can improve the system of care for our wounded warriors and help them build lives of hope, promise, and dignity.

Our military families also sacrifice for America. They endure sleepless nights and the daily struggle of providing for children while a loved one is serving far from home. We have a responsibility to provide for them. So I ask you to join me in expanding their access to childcare, creating new hiring preferences for military spouses across the Federal Government, and allowing our troops to transfer their unused education benefits to their spouses or children. Our military families serve our Nation, they inspire our Nation, and tonight our Nation honors them.

The secret of our strength, the miracle of America, is that our greatness lies not in our Government, but in the spirit and determination of our people. When the Federal Convention met in Philadelphia in 1787, our Nation was bound by the Articles of Confederation, which began with the words, "We the undersigned delegates." When Gouverneur Morris was asked to draft the preamble to our new Constitution, he offered an important revision and opened with words that changed the course of our Nation and the history of the world: "We the people."

By trusting the people, our Founders wagered that a great and noble Nation could be built on the liberty that resides in the hearts of all men and women. By trusting the people, succeeding generations transformed our fragile young democracy into the most powerful Nation on earth and a beacon of hope for millions. And so long as we continue to trust the people, our Nation will prosper, our liberty will be secure, and the State of our Union will remain strong. So tonight, with confidence in freedom's power, and trust in the people, let us set forth to do their business.

GEORGE W. BUSH.  
THE WHITE HOUSE, January 28, 2008.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY (for himself and Mrs. MURRAY):

S. 2560. A bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes; to the Committee on Finance.

By Mr. REID:

S. 2561. A bill to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War; to the Committee on Energy and Natural Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BIDEN (for himself, Mr. LUGAR, Mr. MENENDEZ, Mr. CARDIN, and Mr. DURBIN):

S. Res. 432. A resolution urging the international community to provide the United Nations-African Union Mission in Sudan with essential tactical and utility helicopters; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 414

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 414, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Federal Meat Inspection Act to require that food that contains product from a cloned animal be labeled accordingly, and for other purposes.

S. 661

At the request of Mrs. CLINTON, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 773

At the request of Mr. WARNER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 1430

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 1430, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of \$20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1780

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1780, a bill to require the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent.

S. 1794

At the request of Mr. BAYH, the name of the Senator from Massachusetts

(Mr. KENNEDY) was added as a cosponsor of S. 1794, a bill to amend the Federal Direct Loan Program to provide that interest shall not accrue on Federal Direct Loans for active duty service members and their spouses.

S. 1800

At the request of Mrs. CLINTON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1800, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 1848

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1848, a bill to amend the Trade Act of 1974 to address the impact of globalization, to reauthorize trade adjustment assistance, to extend trade adjustment assistance to service workers, communities, firms, and farmers, and for other purposes.

S. 1906

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1906, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 1907

At the request of Mr. BAUCUS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1907, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to understand and comprehensively address the inmate oral health problems associated with methamphetamine use, and for other purposes.

S. 1948

At the request of Mr. VOINOVICH, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1948, a bill to award grants to establish Advanced Multidisciplinary Computing Software Centers, which shall conduct outreach, technology transfer, development, and utilization programs in specific industries and geographic regions for the benefit of small- and medium-size manufacturers and businesses.

S. 2004

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2004, a bill to amend title 38, United States Code, to establish epilepsy centers of excellence in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 2063

At the request of Mr. CONRAD, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2063, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the economic security of the United States, and to expand future prosperity and growth for all Americans.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2400

At the request of Mrs. CLINTON, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2400, a bill to amend title 37, United States Code, to require the Secretary of Defense to continue to pay to a member of the Armed Forces who is retired or separated from the Armed Forces due to a combat-related injury certain bonuses that the member was entitled to before the retirement or separation and would continue to be entitled to if the member was not retired or separated, and for other purposes.

S. 2426

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2426, a bill to provide for congressional oversight of United States agreements with the Government of Iraq.

S. 2449

At the request of Mr. KOHL, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2449, a bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes.

S. 2452

At the request of Mr. DODD, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New York (Mrs. CLINTON) and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of S. 2452, a bill to amend the Truth in Lending Act to provide protection to consumers with respect to certain high-cost loans, and for other purposes.

S. 2500

At the request of Mr. LEAHY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2500, a bill to provide fair compensation to artists for use of their sound recordings.

S. 2544

At the request of Mr. KENNEDY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2544, a bill to provide for a program of temporary extended unemployment compensation.

S. 2552

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2552, a bill to amend the Internal Revenue Code of 1986 to provide a stimulus to small business by increasing expensing for small businesses in 2008, extending the length of the

carryback period for net operating losses during 2007 and 2008, and extending the research and development credit.

S. 2553

At the request of Mr. KERRY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2553, a bill to modify certain fees applicable under the Small Business Act for 2008, to make an emergency appropriation for certain small business programs, and to amend the Internal Revenue Code of 1986 to provide increased expensing for 2008, to provide a 5-year carryback for certain net operating losses, and for other purposes.

S. 2555

At the request of Mrs. BOXER, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2555, a bill to permit California and other States to effectively control greenhouse gas emissions from motor vehicles, and for other purposes.

S.J. RES. 27

At the request of Mrs. DOLE, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S.J. Res. 27, a joint resolution proposing an amendment to the Constitution of the United States relative to the line item veto.

S. RES. 429

At the request of Mr. STEVENS, his name was added as a cosponsor of S. Res. 429, a resolution honoring the brave men and women of the United States Coast Guard whose tireless work, dedication, and commitment to protecting the United States have led to the confiscation of over 350,000 pounds of cocaine at sea during 2007.

S. RES. 431

At the request of Mr. FEINGOLD, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. Res. 431, a resolution calling for a peaceful resolution to the current electoral crisis in Kenya.

AMENDMENT NO. 3893

At the request of Mr. BROWNBACK, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of amendment No. 3893 proposed to S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

AMENDMENT NO. 3909

At the request of Mr. FEINGOLD, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of amendment No. 3909 proposed to S. 2248, an original bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

AMENDMENT NO. 3913

At the request of Mr. FEINGOLD, the name of the Senator from Iowa (Mr.

HARKIN) was added as a cosponsor of amendment No. 3913 intended to be proposed to S. 2248, an original bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

AMENDMENT NO. 3914

At the request of Mr. FEINGOLD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of amendment No. 3914 intended to be proposed to S. 2248, an original bill to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 2561. A bill to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, 75 years ago yesterday, the U.S. conducted the first nuclear test on American soil—the detonation of a one-kiloton nuclear device in an area known as Frenchman Flat at the Nevada Test Site.

Conducted in extraordinary secrecy, this first nuclear testing program, known as Project Nutmeg, was representative of the efforts of countless Americans in the 50 year struggle we know as the Cold War.

Lasting half a century, the Cold War was the longest sustained conflict in U.S. history. The nuclear capabilities of our enemy posed literally an existential threat to our Nation. The threat of mass destruction left a permanent mark on American life.

The U.S. prevailed over this grave threat, through the technological achievement, patriotism, and sacrifice of the people of the great State of Nevada, and of others throughout the Nation.

It has been 18 years since the Malta Conference that marked the end of the Cold War, yet the contributions and sacrifices of generations of Americans have largely gone unrecognized.

The time has come to recognize and honor those Americans who toiled in relative obscurity to bring us victory during this most dangerous conflict in our Nation's history.

Today I introduce a bill that requires the Department of the Interior to conduct a study to identify sites and resources to commemorate heroes of the Cold War, and to interpret the Cold War for future generations.

My legislation directs the Secretary of the Interior to establish a "Cold War Advisory Committee" to oversee the inventory of Cold War sites and resources; for potential inclusion in the National Park System; as national historic landmarks; or other appropriate designations.

The Advisory Committee will work closely with State and local govern-

ments and local historical organizations. The Committee's starting point will be a Cold War study completed by the Secretary of Defense under the 1991 Defense Appropriations Act. Obvious Cold War sites of significance include: intercontinental ballistic missile launch sites; flight training centers; communications and command centers, such as Cheyenne Mountain, Colorado; nuclear weapons test sites, such as the Nevada Test Site; and sites of other strategic and tactical significance.

Perhaps no state in the union played a more significant role than Nevada in winning the Cold War.

The Nevada Test Site is a high-technology engineering marvel where the U.S. developed, tested, and perfected a nuclear deterrent that formed the cornerstone of America's security and leadership among nations. Of the 1,149 nuclear detonations conducted by U.S. as part of its nuclear testing program, 1,021 were performed at the Nevada Test Site.

The Naval Air Station at Fallon, NV, home of the Navy's preeminent tactical air warfare training center, was also the site of Cold War-era nuclear testing.

Hawthorne Army Depot, formerly known as the Hawthorne Army Ammunition Plant, likewise played an important role throughout the Cold War, serving as a staging area for conventional bombs, rockets, and ammunition as it had done since World War II.

Nellis Air Force Base outside Las Vegas, home of the first dedicated air warfare and later air/ground training facility, provided to Cold War aviators and continues to provide advanced air combat training for U.S. and Allied forces.

Generations of Nevadans bore and continue to bear extraordinary costs as a result of these critical contributions to the Cold War effort.

The Advisory Committee established under this legislation will develop an interpretive handbook telling the story of the Cold War and its heroes.

I'd like to take a moment to relate a story of one group of Cold War heroes.

On a snowy evening, November 17, 1955, a U.S. Air Force C-54 cargo plane crashed near the summit of Mount Charleston in rural Nevada.

Kept secret for years, we now know that the four aircrew and ten scientists aboard the doomed aircraft were bound for the secret Air Force Flight Test Center, where they were developing a top-secret spy plane that would become known as the U-2.

These men who gave their lives that day helped build the plane that many critics said could never be built. Owing to the efforts of men like these, the critics were proved wrong: the U-2 remains a vital component of our reconnaissance forces to this day.

As a result of the absolute secrecy surrounding their work, the families of the men who perished on Mount Charleston only recently learned the true circumstances of the crash that



took the lives of their loved ones and the nature of their vital work.

This legislation will provide \$500,000 to identify historic landmarks, like the Mount Charleston crash site, to recognize and pay tribute to the sacrifices of these men and others.

I would like to reiterate my thanks for Mr. Steve Ririe of Las Vegas, whose tireless efforts brought to light the events surrounding the death of these fourteen men on Mount Charleston over fifty years ago, and for the efforts of State Senator Raymond Rawson, who shepherded through the Nevada legislature a resolution honoring these heroes.

A grateful Nation owes a debt of supreme gratitude to the silent heroes of the Cold War. I urge my colleagues to support this long-overdue tribute to the contribution and sacrifice of these Americans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 2561

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DEFINITIONS.

(1) **ADVISORY COMMITTEE.**—The term “Advisory Committee” means the Cold War Advisory Committee established under section 3.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **THEME STUDY.**—The term “theme study” means the national historic landmark theme study conducted under section 2(a).

#### SEC. 2. COLD WAR THEME STUDY.

(a) **IN GENERAL.**—The Secretary shall conduct a national historic landmark theme study to identify sites and resources in the United States that are significant to the Cold War.

(b) **RESOURCES.**—In conducting the theme study, the Secretary shall consider—

(1) the inventory of sites and resources associated with the Cold War completed by the Secretary of Defense under section 8120(b)(9) of the Department of Defense Appropriations Act, 1991 (Public Law 101-511; 104 Stat. 1906); and

(2) historical studies and research of Cold War sites and resources, including—

(A) intercontinental ballistic missiles;

(B) flight training centers;

(C) manufacturing facilities;

(D) communications and command centers (such as Cheyenne Mountain, Colorado);

(E) defensive radar networks (such as the Distant Early Warning Line);

(F) nuclear weapons test sites (such as the Nevada test site); and

(G) strategic and tactical aircraft.

(c) **CONTENTS.**—The theme study shall include—

(1) recommendations for commemorating and interpreting sites and resources identified by the theme study, including—

(A) sites for which studies for potential inclusion in the National Park System should be authorized;

(B) sites for which new national historic landmarks should be nominated; and

(C) other appropriate designations;

(2) recommendations for cooperative agreements with—

(A) State and local governments;

(B) local historical organizations; and

(C) other appropriate entities; and

(3) an estimate of the amount required to carry out the recommendations under paragraphs (1) and (2).

(d) **CONSULTATION.**—In conducting the theme study, the Secretary shall consult with—

(1) the Secretary of the Air Force;

(2) State and local officials;

(3) State historic preservation offices; and

(4) other interested organizations and individuals.

(e) **REPORT.**—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the findings, conclusions, and recommendations of the theme study.

#### SEC. 3. COLD WAR ADVISORY COMMITTEE.

(a) **ESTABLISHMENT.**—As soon as practicable after funds are made available to carry out this Act, the Secretary shall establish an advisory committee, to be known as the “Cold War Advisory Committee”, to assist the Secretary in carrying out this Act.

(b) **COMPOSITION.**—The Advisory Committee shall be composed of 9 members, to be appointed by the Secretary, of whom—

(1) 3 shall have expertise in Cold War history;

(2) 2 shall have expertise in historic preservation;

(3) 1 shall have expertise in the history of the United States; and

(4) 3 shall represent the general public.

(c) **CHAIRPERSON.**—The Advisory Committee shall select a chairperson from among the members of the Advisory Committee.

(d) **COMPENSATION.**—A member of the Advisory Committee shall serve without compensation but may be reimbursed by the Secretary for expenses reasonably incurred in the performance of the duties of the Advisory Committee.

(e) **MEETINGS.**—On at least 3 occasions, the Secretary (or a designee) shall meet and consult with the Advisory Committee on matters relating to the theme study.

#### SEC. 4. INTERPRETIVE HANDBOOK ON THE COLD WAR.

Not later than 4 years after the date on which funds are made available to carry out this Act, the Secretary shall—

(1) prepare and publish an interpretive handbook on the Cold War; and

(2) disseminate information in the theme study by other appropriate means.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$500,000.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 432—URGING THE INTERNATIONAL COMMUNITY TO PROVIDE THE UNITED NATIONS-AFRICAN UNION MISSION IN SUDAN WITH ESSENTIAL TACTICAL AND UTILITY HELICOPTERS

Mr. BIDEN (for himself, Mr. LUGAR, Mr. MENENDEZ, Mr. CARDIN, and Mr. DURBIN) submitted the following resolution, which was referred to the Committee on Foreign Relations:

S. RES. 432

Whereas, on August 30, 2006, the United Nations Security Council approved United Na-

tions Security Council Resolution 1706, providing that the existing United Nations Mission in Sudan (UNMIS) “shall take over from [the African Mission in Sudan (AMIS)] responsibility for supporting the implementation of the Darfur Peace Agreement upon the expiration of AMIS’ mandate but in any event no later than 31 December 2006”;

Whereas, on July 31, 2007, the United Nations Security Council approved United Nations Security Council Resolution 1769 reaffirming Resolution 1706 and stating that the Security Council “[d]ecides . . . to authorize and mandate the establishment . . . of an AU/UN Hybrid operation in Darfur (UNAMID) . . . [and] [d]ecides that UNAMID, which shall incorporate AMIS personnel and the UN Heavy and Light Support Packages to AMIS, shall consist of up to 19,555 military personnel, including 360 military observers and liaison officers, and an appropriate civilian component including up to 3,772 police personnel and 19 formed police units comprising up to 140 personnel each”;

Whereas, on December 31, 2007, the United Nations-African Union hybrid mission formally assumed control of peacekeeping operations in Darfur, but did so with only approximately 9,000 troops and police on the ground, far short of both the authorized and necessary levels;

Whereas the Government of Sudan continues to obstruct implementation of Security Council Resolutions 1706 and 1769 in several respects, including by refusing to conclude a Status of Forces Agreement or to cooperate on issues such as the force composition, the authorization of night flights, customs clearance, land access, and visas for staff;

Whereas, on January 7, 2008, uniformed elements of the army of Sudan attacked a clearly marked UNAMID supply convoy, severely wounding a Sudanese civilian driver;

Whereas rebels, militias, government forces, bandits, and others continue to prey upon the people of Darfur and upon humanitarian workers, increasing the urgency of both deploying the full complement of peacekeepers and police and of reaching a lasting political settlement;

Whereas the preliminary results of a United Nations assessment entitled the “Food Security and Nutrition Assessment of the Conflict-Affected Population of Darfur (August/September 2007)” reveal that global acute malnutrition in Darfur increased in 2007, exceeding emergency levels in some regions;

Whereas the United Nations-African Union Mission in Sudan has been hampered not only by obstruction by the Government of Sudan and other obstacles to peace in the region, but by the failure of the international community to commit the resources, equipment, and personnel needed to carry out the peacekeeping mission, most notably the failure to provide critically needed aviation and transportation assets;

Whereas the United Nations-African Union Mission in Sudan needs, among other critical mobility capabilities that have not been met, 18 utility helicopters and 6 tactical helicopters and crews;

Whereas, in a report to the Security Council dated December 24, 2007, the Secretary-General termed these helicopters indispensable and stated that “UNAMID must be capable of rapid mobility over large distances, especially over terrain where roads are the exception. Without the missing helicopters, this mobility—a fundamental requirement for the implementation of the UNAMID mandate—will not be possible.”;

Whereas a large number of countries possess the military assets that could help to fulfill this requirement;

Whereas the United States continues to lead the world in its contributions to efforts to end the genocide in Darfur, including by providing more than \$4,500,000,000 since 2004 in response to the Darfur crisis;

Whereas continued failure on the part of the international community to take all steps necessary to generate, deploy, and maintain an effective United Nations-African Union hybrid peacekeeping force will result in the continued loss of life and further degradation of humanitarian infrastructure in Darfur; and

Whereas it would be inexcusable for the international community to allow an authorized peacekeeping mission intended to help bring an end to genocide and its effects to founder or be compromised because of a failure to commit critical elements, such as the 24 helicopters needed to meet the critical mobility capabilities of the United Nations-African Union Mission in Sudan: Now, therefore, be it

*Resolved*, That the Senate—

(1) urges the members of the international community, including the United States, that possess the capability to provide the tactical and utility helicopters needed for the United Nations-African Union peacekeeping mission in Darfur to do so as soon as possible; and

(2) urges the President to intervene personally by contacting other heads of state and asking them to contribute the aircraft and crews for the Darfur mission.

Mr. BIDEN. Mr. President, on December 31, the United Nations and the African Union jointly assumed control of the peacekeeping mission in Darfur. But, sadly, little has changed for the people of Darfur.

The United Nations Security Council has authorized over 26,000 peacekeepers, but just over 9,000 are on the ground in Darfur.

The government of Sudan has promised to abide by the United Nations resolution, but it continues to obstruct it at almost every turn.

Some of the rebel leaders have begun to join in coalitions with one another, an important step for the peace process, but others continue to prey on civilians and humanitarian aid workers and to threaten peacekeepers.

And the nations of the world had pledged to help end the genocide, but they are falling short where it counts.

U.N. Secretary General Ban Ki-moon reports that no one has stepped up to provide the 24 helicopters that are needed to transport and protect the peacekeepers and to give them the mobility that they need to do their jobs.

That is inexcusable. We cannot allow genocide and suffering to continue because the combined nations of the world cannot find 24 helicopters to help stop it.

That is why today, joined by Senator LUGAR and a number of other colleagues, I have introduced a resolution expressing the Sense of the Senate that the world must not allow this peacekeeping mission to founder because we cannot find 24 suitable aircraft within our vast arsenals.

I recognize that helicopters are expensive vehicles that are in short supply, with wars raging in Afghanistan and Iraq and with peacekeeping missions in the Congo and now being deployed to Chad as well.

But a considerable number of nations possess aerial vehicles with the capabilities that are needed for this mission. Together, we could fill this gap.

The United Nations is seeking 18 utility and 6 tactical helicopters. According to a piece in the Washington Post, the member nations of NATO alone possess over 18,000 helicopters.

Not all of these 18,000 aircraft would be suitable for this mission. NATO reserves are taxed in Afghanistan and elsewhere, but the potential vehicles certainly exist. NATO is not alone in this capability. Other countries could also step up to fill this need.

Secretary General Ban has stated that these vehicles are indispensable. He reports that the United Nations-African Union mission must “be capable of rapid mobility over large distances, especially over terrain where roads are the exception.” Ban also said that “Without the missing helicopters, this mobility—a fundamental requirement for the implementation of the [Security Council’s] mandate—will not be possible.”

Helicopters alone will not save Darfur. The needs there are immense and growing. The United Nations revealed last month that acute malnutrition in the region is rising and surpassing emergency levels in some areas. To make matters worse, the Government of Khartoum is continuing to obstruct deployment of U.N. peacekeepers. They have objected to non-African peacekeepers, such as a team of Norwegian engineers, and they are slowing deployment by denying visas and land permits and denying night flights. Most seriously of all, earlier this month, Sudanese troops opened fire on a clearly marked U.N. convoy, badly injuring a driver.

The world must not allow the Khartoum government to dictate terms to the UN mission. The European Union and United Nations Security Council should, I believe, join the United States in imposing strong economic sanctions on the Sudanese government.

We should also continue to pressure the rebel groups to cease all attacks on civilians and humanitarian workers and engage in a peace process to bring a real solution for the people of Darfur.

We should do all these things and more, but, first and foremost, we should ensure that the United Nations and African Union have the tools that they need to carry out their mission.

The United States has already provided more than \$4.5 billion since 2004 in response to the Darfur crisis. That is an enormous contribution and it should not fall on our shoulders to fill this particular gap in the peacekeeping mission.

That is why I have repeatedly written President Bush asking him to use the powers of persuasion of his office to personally contact other heads of state to ask them to commit the needed vehicles and crews. I have also written the Secretary General of NATO and President Hu of China, asking them to help fill this gap.

Our resolution urges the members of the international community with the necessary assets to contribute the needed vehicles and crews.

Preventing genocide is a global responsibility. Too often the world has failed to keep this commitment, and it has failed Darfur for too long.

We cannot allow the government of Khartoum to block deployment of the 26,000 peacekeepers, but it would perhaps be even more unforgivable if the international community refuses to provide the peacekeepers with the equipment and vehicles that they need. Then we will have done Khartoum’s job for them by obstructing ourselves.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3951. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3930 submitted by Mr. CARDIN (for himself and Ms. MIKULSKI) and intended to be proposed to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table.

SA 3952. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3901 submitted by Mr. KENNEDY and intended to be proposed to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3953. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3859 submitted by Mr. CARDIN and intended to be proposed to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3954. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3955. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3915 submitted by Mr. FEINGOLD (for himself and Mr. DODD) and intended to be proposed to the amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3956. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3918 proposed by Mr. REID to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3957. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3932 submitted by Mr. WHITEHOUSE and intended to be proposed to the amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3958. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3929 submitted by Mr. LEAHY (for himself, Mr. KENNEDY, Mr. MENENDEZ, and Ms. MIKULSKI) and intended to be proposed to the bill S. 2248, supra; which was ordered to lie on the table.

SA 3959. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3903 submitted by Mr. KYL and intended to be proposed to the bill S. 2248, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3951. Mr. BOND submitted an amendment intended to be proposed to amendment SA 3930 submitted by Mr. CARDIN (for himself and Ms. MIKULSKI)

and intended to be proposed to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “the transitional procedures”, and all that follows through “2011.” on line 8 and insert the following: “the previous sentence shall have no force or effect.”.

**SA 3952.** Mr. BOND submitted an amendment intended to be proposed to amendment SA 3901 submitted by Mr. KENNEDY and intended to be proposed to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “the transitional procedures”, and all that follows through “2010.” on line 8 and insert the following: “the previous sentence shall have no force or effect.”.

**SA 3953.** Mr. BOND submitted an amendment intended to be proposed to amendment SA 3859 submitted by Mr. CARDIN and intended to be proposed to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “the transitional procedures”, and all that follows through “2011.” on line 8 and insert the following: “the previous sentence shall have no force or effect.”.

**SA 3954.** Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, strike line 8 and all that follows through the end of the amendment and insert the following:

(C) AUTHORIZATION FOLLOWING ATTACK OR DECLARATION OF WAR.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by—

(1) striking section 111 and inserting the following:

“AUTHORIZATION FOLLOWING ATTACK OR DECLARATION OF WAR

“SEC. 111. Notwithstanding any other law, the President, through the Attorney General, may authorize electronic surveillance without a court order to acquire foreign intelligence information for a period of not longer than 180 days after the date of—

“(1) submission of a certification by the Attorney General to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives that there is a grave threat of an imminent attack on the United States;

“(2) an attack on the United States; or

“(3) a declaration of war by the Congress.”;

(2) striking section 309 and inserting the following:

“AUTHORIZATION FOLLOWING ATTACK OR DECLARATION OF WAR

“SEC. 309. Notwithstanding any other law, the President, through the Attorney General, may authorize a physical search without a court order to acquire foreign intelligence information for a period of not longer than 180 days after the date of—

“(1) submission of a certification by the Attorney General to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives that there is a grave threat of an imminent attack on the United States;

“(2) an attack on the United States; or

“(3) a declaration of war by the Congress.”; and

(3) striking section 404 and inserting the following:

“AUTHORIZATION FOLLOWING ATTACK OR DECLARATION OF WAR

“SEC. 404. Notwithstanding any other law, the President, through the Attorney General, may authorize the use of a pen register or trap and trace device without a court order to acquire foreign intelligence information for a period of not longer than 180 days after the date of—

“(1) submission of a certification by the Attorney General to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives that there is a grave threat of an imminent attack on the United States;

“(2) an attack on the United States; or

“(3) a declaration of war by the Congress.”.

(d) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 2511(2) of title 18, United States Code, is amended—

(A) in paragraph (a), by adding at the end the following:

“(iii) If a certification under subparagraph (ii)(B) for assistance to obtain foreign intelligence information is based on statutory authority, the certification shall identify the specific statutory provision, and shall certify that the requirements have been met.”; and

(B) in paragraph (f), by striking “, as defined in section 101 of such Act,” and inserting “(as defined in section 101(f) of such Act regardless of the limitation of section 701 of such Act)”.

(2) TABLE OF CONTENTS.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by—

(A) striking the item relating to section 111 and inserting the following:

“Sec. 111. Authorization following attack or declaration of war.

“Sec. 112. Statement of exclusive means by which electronic surveillance and interception of certain communications may be conducted.”;

(B) striking the item relating to section 309 and inserting the following:

“Sec. 309. Authorization following attack or declaration of war.”; and

(C) striking the item relating to section 404 and inserting the following:

“Sec. 404. Authorization following attack or declaration of war.”.

**SA 3955.** Mr. BOND submitted an amendment intended to be proposed to amendment SA 3951 submitted by Mr. FEINGOLD (for himself and Mr. DODD) and intended to be proposed to the amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act

of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike line 12 and all that follows through the end of the amendment and insert the following:

“(ii) LIMITATION ON USE OF INFORMATION.—

If part or all of an acquisition authorized under subsection (a) is terminated under clause (i)(II), no information obtained or evidence derived from such terminated acquisition concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such terminated acquisition shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General, if the information indicates a threat of death or serious bodily harm to any person.”

**SA 3956.** Mr. BOND submitted an amendment intended to be proposed to amendment SA 3918 proposed by Mr. REID to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after “1.” and insert the following:

**SHORT TITLE.**

This Act may be cited as the “Permanent Protect America Act of 2008”.

**TITLE I—REPEAL OF SUNSET OF THE PROTECT AMERICA ACT OF 2007**

**SEC. 101. REPEAL OF SUNSET OF THE PROTECT AMERICA ACT OF 2007.**

Section 6 of the Protect America Act of 2007 (Public Law 110–55; 121 Stat. 557; 50 U.S.C. 1803 note) is amended by striking subsection (c).

**TITLE II—PROTECTIONS FOR ELECTRONIC COMMUNICATION SERVICE PROVIDERS**

**SEC. 201. DEFINITIONS.**

In this title:

(1) ASSISTANCE.—The term “assistance” means the provision of, or the provision of access to, information (including communication contents, communications records, or other information relating to a customer or communication), facilities, or another form of assistance.

(2) CONTENTS.—The term “contents” has the meaning given that term in section 101(n) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(n)).

(3) COVERED CIVIL ACTION.—The term “covered civil action” means a civil action filed in a Federal or State court that—

(A) alleges that an electronic communication service provider furnished assistance to an element of the intelligence community; and

(B) seeks monetary or other relief from the electronic communication service provider related to the provision of such assistance.

(4) ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term “electronic communication service provider” means—

(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

(B) a provider of an electronic communication service, as that term is defined in section 2510 of title 18, United States Code;

(C) a provider of a remote computing service, as that term is defined in section 2711 of title 18, United States Code;

(D) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored;

(E) a parent, subsidiary, affiliate, successor, or assignee of an entity described in subparagraph (A), (B), (C), or (D); or

(F) an officer, employee, or agent of an entity described in subparagraph (A), (B), (C), (D), or (E).

(5) **ELEMENT OF THE INTELLIGENCE COMMUNITY.**—The term “element of the intelligence community” means an element of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

## **SEC. 202. LIMITATIONS ON CIVIL ACTIONS FOR ELECTRONIC COMMUNICATION SERVICE PROVIDERS.**

(a) **LIMITATIONS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, a covered civil action shall not lie or be maintained in a Federal or State court, and shall be promptly dismissed, if the Attorney General certifies to the court that—

(A) the assistance alleged to have been provided by the electronic communication service provider was—

(i) in connection with an intelligence activity involving communications that was—

(I) authorized by the President during the period beginning on September 11, 2001, and ending on January 17, 2007; and

(II) designed to detect or prevent a terrorist attack, or activities in preparation for a terrorist attack, against the United States; and

(ii) described in a written request or directive from the Attorney General or the head of an element of the intelligence community (or the deputy of such person) to the electronic communication service provider indicating that the activity was—

(I) authorized by the President; and

(II) determined to be lawful; or

(B) the electronic communication service provider did not provide the alleged assistance.

(2) **REVIEW.**—A certification made pursuant to paragraph (1) shall be subject to review by a court for abuse of discretion.

(b) **REVIEW OF CERTIFICATIONS.**—If the Attorney General files a declaration under section 1746 of title 28, United States Code, that disclosure of a certification made pursuant to subsection (a) would harm the national security of the United States, the court shall—

(1) review such certification in camera and ex parte; and

(2) limit any public disclosure concerning such certification, including any public order following such an ex parte review, to a statement that the conditions of subsection (a) have been met, without disclosing the subparagraph of subsection (a)(1) that is the basis for the certification.

(c) **NONDELEGATION.**—The authority and duties of the Attorney General under this section shall be performed by the Attorney General (or Acting Attorney General) or a designee in a position not lower than the Deputy Attorney General.

(d) **CIVIL ACTIONS IN STATE COURT.**—A covered civil action that is brought in a State court shall be deemed to arise under the Constitution and laws of the United States and shall be removable under section 1441 of title 28, United States Code.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to limit any otherwise available immunity, privilege, or defense under any other provision of law.

(f) **EFFECTIVE DATE AND APPLICATION.**—This section shall apply to any covered civil

action that is pending on or filed after the date of enactment of this Act.

## **SEC. 203. PROCEDURES FOR IMPLEMENTING STATUTORY DEFENSES UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding after title VII the following new title:

### **“TITLE VIII—PROTECTION OF PERSONS ASSISTING THE GOVERNMENT**

#### **“SEC. 801. DEFINITIONS.**

“In this title:

“(1) **ASSISTANCE.**—The term ‘assistance’ means the provision of, or the provision of access to, information (including communication contents, communications records, or other information relating to a customer or communication), facilities, or another form of assistance.

“(2) **ATTORNEY GENERAL.**—The term ‘Attorney General’ has the meaning give that term in section 101(g).

“(3) **CONTENTS.**—The term ‘contents’ has the meaning given that term in section 101(n).

“(4) **ELECTRONIC COMMUNICATION SERVICE PROVIDER.**—The term ‘electronic communication service provider’ means—

“(A) a telecommunications carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153);

“(B) a provider of electronic communication service, as that term is defined in section 2510 of title 18, United States Code;

“(C) a provider of a remote computing service, as that term is defined in section 2711 of title 18, United States Code;

“(D) any other communication service provider who has access to wire or electronic communications either as such communications are transmitted or as such communications are stored;

“(E) a parent, subsidiary, affiliate, successor, or assignee of an entity described in subparagraph (A), (B), (C), or (D); or

“(F) an officer, employee, or agent of an entity described in subparagraph (A), (B), (C), (D), or (E).

“(5) **ELEMENT OF THE INTELLIGENCE COMMUNITY.**—The term ‘element of the intelligence community’ means an element of the intelligence community as specified or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

“(6) **PERSON.**—The term ‘person’ means—

“(A) an electronic communication service provider; or

“(B) a landlord, custodian, or other person who may be authorized or required to furnish assistance pursuant to—

“(i) an order of the court established under section 103(a) directing such assistance;

“(ii) a certification in writing under section 2511(2)(a)(ii)(B) or 2709(b) of title 18, United States Code; or

“(iii) a directive under section 102(a)(4), 105B(e), as in effect on the day before the date of the enactment of the FISA Amendments Act of 2008 or 703(h).

“(7) **STATE.**—The term ‘State’ means any State, political subdivision of a State, the Commonwealth of Puerto Rico, the District of Columbia, and any territory or possession of the United States, and includes any officer, public utility commission, or other body authorized to regulate an electronic communication service provider.

#### **“SEC. 802. PROCEDURES FOR IMPLEMENTING STATUTORY DEFENSES.**

“(a) **REQUIREMENT FOR CERTIFICATION.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, no civil action may lie or be maintained in a Federal or State court against any person for providing assistance to an element of the intelligence community, and shall be promptly dis-

missed, if the Attorney General certifies to the court that—

“(A) any assistance by that person was provided pursuant to an order of the court established under section 103(a) directing such assistance;

“(B) any assistance by that person was provided pursuant to a certification in writing under section 2511(2)(a)(ii)(B) or 2709(b) of title 18, United States Code;

“(C) any assistance by that person was provided pursuant to a directive under sections 102(a)(4), 105B(e), as in effect on the day before the date of the enactment of the FISA Amendments Act of 2008, or 703(h) directing such assistance; or

“(D) the person did not provide the alleged assistance.

“(2) **REVIEW.**—A certification made pursuant to paragraph (1) shall be subject to review by a court for abuse of discretion.

“(b) **LIMITATIONS ON DISCLOSURE.**—If the Attorney General files a declaration under section 1746 of title 28, United States Code, that disclosure of a certification made pursuant to subsection (a) would harm the national security of the United States, the court shall—

“(1) review such certification in camera and ex parte; and

“(2) limit any public disclosure concerning such certification, including any public order following such an ex parte review, to a statement that the conditions of subsection (a) have been met, without disclosing the subparagraph of subsection (a)(1) that is the basis for the certification.

“(c) **REMOVAL.**—A civil action against a person for providing assistance to an element of the intelligence community that is brought in a State court shall be deemed to arise under the Constitution and laws of the United States and shall be removable under section 1441 of title 28, United States Code.

“(d) **RELATIONSHIP TO OTHER LAWS.**—Nothing in this section may be construed to limit any otherwise available immunity, privilege, or defense under any other provision of law.

“(e) **APPLICABILITY.**—This section shall apply to a civil action pending on or filed after the date of enactment of the FISA Amendments Act of 2008.”

## **SEC. 204. PREEMPTION OF STATE INVESTIGATIONS.**

Title VIII of the Foreign Intelligence Surveillance Act (50 U.S.C. 1801 et seq.), as added by section 203 of this Act, is amended by adding at the end the following new section:

### **“SEC. 803. PREEMPTION.**

“(a) **IN GENERAL.**—No State shall have authority to—

“(1) conduct an investigation into an electronic communication service provider’s alleged assistance to an element of the intelligence community;

“(2) require through regulation or any other means the disclosure of information about an electronic communication service provider’s alleged assistance to an element of the intelligence community;

“(3) impose any administrative sanction on an electronic communication service provider for assistance to an element of the intelligence community; or

“(4) commence or maintain a civil action or other proceeding to enforce a requirement that an electronic communication service provider disclose information concerning alleged assistance to an element of the intelligence community.

“(b) **SUITS BY THE UNITED STATES.**—The United States may bring suit to enforce the provisions of this section.

“(c) **JURISDICTION.**—The district courts of the United States shall have jurisdiction over any civil action brought by the United States to enforce the provisions of this section.

“(d) APPLICATION.—This section shall apply to any investigation, action, or proceeding that is pending on or filed after the date of enactment of the FISA Amendments Act of 2008.”.

#### SEC. 205. TECHNICAL AMENDMENTS.

The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

#### “TITLE VIII—PROTECTION OF PERSONS ASSISTING THE GOVERNMENT

“Sec. 801. Definitions.

“Sec. 802. Procedures for implementing statutory defenses.

“Sec. 803. Preemption.”.

**SA 3957.** Mr. BOND submitted an amendment intended to be proposed to amendment SA 3932 submitted by Mr. WHITEHOUSE and intended to be proposed to the amendment SA 3911 proposed by Mr. ROCKEFELLER (for himself and Mr. BOND) to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 8, of the amendment, strike “30” and insert “90”.

**SA 3958.** Mr. BOND submitted an amendment intended to be proposed to amendment SA 3929 submitted by Mr. LEAHY (for himself, Mr. KENNEDY, Mr. MENENDEZ, and Ms. MIKULSKI) and intended to be proposed to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike line 4 of page 1 of the amendment and all that follows and insert the following:

(a) **TERRORIST SURVEILLANCE PROGRAM AND PROGRAM DEFINED.**—In this section, the terms “Terrorist Surveillance Program” and “Program” mean the intelligence activity involving communications that was authorized by the President during the period beginning on September 11, 2001, and ending on January 17, 2007.

#### (b) **REVIEWS.**—

(1) **REQUIREMENT TO CONDUCT.**—The Inspectors General of the Office of the Director of National Intelligence, the Department of Justice, and the National Security Agency, with respect to the oversight authority and responsibility of each such Inspector General and only with respect to the participation of their respective agencies or departments in the Terrorist Surveillance Program, shall complete, to the extent applicable, a comprehensive review of—

(A) the facts necessary to describe the establishment, implementation, product, and use of the product of the Program;

(B) the procedures of, and access to, the legal reviews of the Program;

(C) communications with, and participation of, individuals and entities in the private sector related to the Program; and

(D) interaction with the Foreign Intelligence Surveillance Court and transition to court orders related to the Program.

(2) **COOPERATION.**—Each Inspector General required to conduct a review under paragraph (1) shall utilize, to the extent practicable and with due regard to the protection of the national security of the United States, and not unnecessarily duplicate or delay, such reviews or audits related to the Program that have been completed or are being

undertaken by any such Inspector General or by any other office of the Executive Branch.

#### (c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Inspectors General required to conduct a review under subsection (b) shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives, to the extent practicable and with due regard to the protection of intelligence sources and methods, a comprehensive report of such reviews that includes any recommendations of any such Inspector General within the oversight authority and responsibility of any such Inspector General.

(2) **FORM.**—The report submitted under paragraph (1) shall be submitted in classified form.

**SA 3959.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 3903 submitted by Mr. KYL and intended to be proposed to the bill S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 2, strike “EXCEPTION” and all that follows through line 7 and insert the following: “APPLICATION OF PARAGRAPH (2).—Paragraph (2) shall apply to an acquisition by an electronic, mechanical, or other surveillance device outside the United States only if the targeted United States person has a reasonable expectation of privacy and a warrant would be required if the acquisition were conducted inside the United States for law enforcement purposes.”.

### NOTICE OF HEARING

#### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KERRY. Mr. President, I would like to inform Members that the Committee on Small Business and Entrepreneurship will hold a hearing entitled “Holding the Small Business Administration Accountable: Women’s Contracting and Lender Oversight,” on Wednesday, January 30, 2008, at 10 a.m., in room 428A of the Russell Senate Office Building.

### PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, on behalf of Senator INOUE, I ask unanimous consent that floor privileges be granted for the remainder of the 110th Congress to Robin Squellati, a detailee from the U.S. Air Force Nurse Corps who works with his staff on issues pertaining to a number of different issues over which Senator INOUE has some responsibility.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Augustine Ripa, a legal intern in my Judiciary Committee office, be granted floor privileges for the remainder of the Senate’s consideration of the pending FISA legislation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER FOR RECESS AND ORDERS FOR TUESDAY, JANUARY 29, 2008

Mr. ROCKEFELLER. Mr. President, on behalf of the leader, I ask unanimous consent that the Senate stand in recess until 8:20 p.m., and that at 8:30 p.m., the Senate proceed as a body to the Hall of the House of Representatives to receive the President’s State of the Union Address; that upon the dissolution of the joint session, the Senate adjourn until 10 a.m., Tuesday, January 29. I further ask that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved, and that there then be a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republican leader controlling the first half and the majority leader controlling the final half; that following morning business, the Senate resume consideration of Calendar No. 512, S. 2248, the FISA legislation, and that the Senate stand in recess from 12:30 until 2:15 to allow for the weekly caucus luncheons to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

### RECESS

Mr. ROCKEFELLER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 5:33 p.m., recessed until 8:21 p.m. and reassembled when called to order by the Presiding Officer (Ms. KLOBUCHAR).

Mrs. MURRAY. Madam President, I move to reconsider the vote on which cloture was not invoked on the Rockefeller-Bond substitute amendment and move to lay that motion on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC NO. 110-82.)

The PRESIDING OFFICER. The Senate will proceed to the Hall of the House of Representatives to hear the address by the President of the United States.

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, Drew

Willison, the Secretary of the Senate, Nancy Erickson, and the Vice President of the United States, RICHARD B. CHENEY, proceeded to the Hall of the House of Representatives to hear the address by the President of the United States, George W. Bush.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress is printed in the proceedings of the House of Representatives in today's RECORD.)

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

At the conclusion of the joint session of the two Houses and in accordance with the order previously entered, at 10:11 p.m., the Senate adjourned until Tuesday, January 29, 2008, at 10 a.m.

DISCHARGED NOMINATION

The Senate Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration

of the following nomination and the nomination was confirmed:

Ed Schafer, of North Dakota, to be Secretary of Agriculture.

CONFIRMATION

Executive nomination confirmed by the Senate Monday, January 28, 2008:

DEPARTMENT OF AGRICULTURE

Ed Schafer, of North Dakota, to be Secretary of Agriculture.



# EXTENSIONS OF REMARKS

## COMMEMORATING THE LIFE OF MARTIN LUTHER KING, JR.

### HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. AL GREEN of Texas. Madam Speaker, Martin Luther King was one of the fathers of the civil rights movement. We honor him for his courage, for his sacrifice, and for his life-long commitment to justice and equality for all.

Dr. King taught us that silence in the face of injustice only serves to fuel the fires of prejudice and hatred. He said that "in the end, we will remember not the words of our enemies, but the silence of our friends." Dr. King's message has become the conscience of our country, reminding us that it is our responsibility to stand up and speak out in the face of racial, gender, and religious discrimination.

Forty years after his assassination, we are still working to ensure that Dr. King's dream of equality will one day be fully realized by all in our great Nation. On Martin Luther King Jr. Day, as we celebrate the life and legacy of a great American hero and international symbol of justice and equality, we must not forget that there is still tremendous work to be done.

Dr. King was a passionate fighter for social justice and equality. In my judgment he would be disappointed that on any given night there are 800,000 Americans living in the streets of life. He would be disappointed that there are 37 million Americans living in poverty, including 3.4 million in Texas. He would be disappointed that 47 million Americans are without health insurance, including 4.1 million in Texas. These are the offspring of the kinds of injustices that Dr. King had in mind when he proclaimed "injustice anywhere is a threat to justice everywhere."

Together, I believe we can fight the evils of social injustice and work to create a brighter future for all Americans. It has fallen on to us to make Dr. King's dream a reality by standing up, and by all means, speaking out.

## PERSONAL EXPLANATION

### HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. BAIRD. Madam Speaker, on January 22 and January 23, 2008, I was not present for votes. I take my voting responsibility very seriously. Had I been present, I would have voted the following: rollcall vote 19—H.R. 4211 (on motion to suspend the rules and pass): "yea"; rollcall vote 20—H. Res. 866 (on motion to suspend the rules and pass): "yea"; rollcall vote 21—H.R. 3963 (on ordering the previous question): "yea"; and rollcall vote 22—H.R. 3963 (passage, objections of the President not withstanding): "yea."

## CONGRATULATING LAURA JOHNSON

### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Laura Johnson of Larkspur, Colorado. Ms. Johnson teaches English as a foreign language while attending the University of Denver and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Johnson and wishing her the best in her future endeavors.

## RECOGNIZING JILL MUETH OF ST. LOUIS, MO

### HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. AKIN. Madam Speaker, I rise today in recognition of Jill Mueth from St. Louis, Missouri and to congratulate her on her nomination as 2008 School Counselor of the Year award.

Jill is a dedicated school counselor at LaSalle Springs Middle School in St. Louis, Missouri.

Out of the several hundred nominations the American School Counselor Association, ASCA, received, Jill is one of 10 finalists to be honored at the First Annual School Counselor of the Year Awards Dinner on Friday, February 1.

ASCA's School Counselor of the Year program honors school counselors who are running a superior, comprehensive school counseling program at the elementary, middle or high school level. Through a highly competitive selection process, finalists were chosen from a panel of judges representing principals, district offices, school boards and chief state school officers.

I thank Jill for her service to the community and congratulate her on her nomination.

## TRIBUTE TO THE OAK RIDGE NATIONAL LABORATORY

### HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. WAMP. Madam Speaker, today I rise to honor the Oak Ridge National Laboratory (ORNL), which continues to be recognized for its critical work on environmental issues. The United Nations and the World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC) are co-winner of this year's Nobel Peace Prize, "for their efforts to build up and disseminate greater knowledge about man-made climate change, and to lay the foundations for the measures that are needed to counteract such change," according to the Nobel announcement. The IPCC has benefited from the contributions of ORNL in several areas, from scientific research and policy studies to state-of-the-art tools and facilities.

Several ORNL researchers are co-authors, and in some cases, lead authors on IPCC studies and documents as part of a global effort to assess the realities and risks of human-induced global climate change on the basis of peer reviewed and published scientific literature. The IPCC Fourth Assessment Report produced four reports in 2007 that featured the involvement of ORNL scientists such as Corporate Fellows Tom Wilbanks and David Greene, and the Environmental Sciences Division's Paul Hanson, Virginia Dale and Gregg Marland.

A very significant portion of the IPCC's study involved modeling of how climate change will affect a variety of important human and economic factors, from temperature to electrical costs. The scientific discovery for applications such as climate change modeling and simulation would not be possible without ORNL advanced computing capabilities, due to the enormous scale and complexity of climate data collected. ORNL's Center for Computational Sciences, home of the world's most powerful supercomputer for open science, ran the extremely complex models and provided infrastructure for more than one-third of the total U.S. contribution to the IPCC report.

The climate study is the culmination of a six-year international effort. Regardless of one's views on climate change, there is no question that ORNL's computing resources and its human resources provided significant contributions to the IPCC. I am proud to honor the research that ORNL generates on an ongoing basis, but especially pleased to honor the leadership and commitment of everyone at ORNL for the efforts that contributed to the Nobel Peace Prize for 2007.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

## IN RECOGNITION OF SACRAMENTO'S BUSINESS LEADERS

**HON. DORIS O. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Ms. MATSUI. Madam Speaker, I rise today to recognize many of Sacramento's outstanding businesses and business leaders that were honored at the Sacramento Metropolitan Chamber of Commerce's 113th annual dinner and business awards ceremony. The men and women that were honored last Friday are dedicated to the success of Sacramento and have worked tirelessly to advance the region's economic vitality. I ask all my colleagues to join me in honoring these fine Sacramentans.

Dave Lucchetti, president and chief operating officer of Pacific Coast Building Products was named "Sacramentan of the Year." Besides running a highly successful, multi-faceted company, Dave is a true civic leader and this award could not go to a more deserving individual. He has donated his time to a number of worthy causes, including Big Brothers, Big Sisters, the Sacramento Region Community Foundation and the Wind Youth Center, among many others.

Winnie Comstock-Carlson was named "Businesswoman of the Year" for her exemplary work as president and publisher of "Comstock's Magazine." The business magazine that she publishes was recently given the "Best of the West" award by the Western Publication Association. Tom Gagen, chief executive officer of Sutter Medical Center, was named "Businessman of the Year," as Sutter Medical Center is undergoing a major expansion that will improve medical care for local residents for decades to come. E-VentExe, a human resources firm, led by Craig Stevenson was honored as Small Business of the Year.

Other awards that were given out include "Volunteer of the Year" to David Hosely, president and general manager of KVIE, our local public television station. Allen Warren, chief executive officer of New Faze Development, received the "Al Geiger Award" for his work as a role model for others to follow in investing in disadvantaged neighborhoods. The "Peter McCuen Award of Civic Entrepreneurs" went to Jim Williams of Williams and Paddon Architects. Jim recently served as co-chair of the region-wide economic development initiative Partnership for Prosperity. Burnie Lenau, owner of Lawnman Inc., was named the Metro Chamber's "Ambassador of the Year."

At the annual dinner four local companies were also inducted into the Sacramento Business Hall of Fame. Being inducted were Harbison-Mahony-Higgins Builders, Inc., John F. Otto, Inc., Golden One Credit Union, and the Niello Company. These companies literally build, finance, and drive the Sacramento region.

Also being honored was outgoing Sacramento Metropolitan Chamber of Commerce board chairman John Lambeth. I have had the privilege of working closely with John on our region's flood protection needs and his leadership was greatly appreciated. An equally talented leader, Michael Jacobson of Intel Corporation, is the incoming board chairman. Michael has been a wonderful advocate on high-tech and workforce issues and I look forward to working closely with him.

Madam Speaker, I am honored to recognize these individuals and businesses for their eco-

nomie and civic contributions to the Sacramento Region. On behalf of the people of Sacramento and the Fifth Congressional District of California, I ask all my colleagues to join me in honoring their unwavering commitment to our region.

## CONGRATULATING AMANDA HILTON

**HON. THOMAS G. TANCREDO**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Amanda Hilton of Castle Rock, Colorado. Ms. Hilton teaches English as a foreign language while attending Colby College and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Hilton and wishing her the best in her future endeavors.

## HOPE VI IMPROVEMENT AND REAUTHORIZATION ACT OF 2007

SPEECH OF

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 2008*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3524) to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes:

Mr. COHEN. Madam Chairman, the HOPE VI program in the Department of Housing and Urban Development is a vital program that aims to improve public housing. The HOPE VI Improvement and Reauthorization Act of 2007 not only extends HOPE VI, but makes important changes to the program to ensure that affordable housing is available to more people who are in need.

The one-for-one replacement included in the bill will keep the same number of units available for public housing if an existing building is scheduled to be demolished. The reauthorization bill also includes language to allow HOPE VI participants to re-enroll in the program under the same guidelines as other public housing residents of the revitalized development.

The reauthorization bill brings the HOPE VI program into the 21st century with the provision that requires all replacement housing to meet Green Communities standards and non-residential structures to comply with LEED standards. With so much focus on climate change and energy conservation, it is only fitting for the government to address these issues through its departments, agencies, and programs.

I am proud to be a co-sponsor of H.R. 3524 and proud to support the bill today.

## IN HONOR OF ROBERT ORD

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. FARR. Madam Speaker, I rise to commend a distinguished career of public service. On February 1, LTG Robert Ord will be retiring as the Dean of the School of International Graduate Studies at the Naval Postgraduate School.

After 34 illustrious years in the U.S. Army, culminating as the commanding general of the U.S. Army Pacific, Bob Ord joined the faculty at the Naval Postgraduate School, bringing his wealth of military experience and relationships from the halls of the Pentagon to one of the most significant graduate military education programs in the Nation. The School of International Graduate Studies addresses current and emerging global security challenges by providing U.S. military and international students with a graduate education in foreign policy, international relations and security cooperation.

Having been a former Peace Corps volunteer in Colombia from 1964–66, I have a deep appreciation for the programs in the SIGS department that focus on the need for security building. Two programs of special interest to me are the Leader Development and Education for Sustained Peace and the Center for Stabilization and Reconstruction Studies. Both of these programs address a gap I identified while serving in the Peace Corps—the need to have greater cross-cultural awareness in our security building programs; and, the importance of bringing stabilization and reconstruction stakeholders together in the classroom before they work together in an operational environment. Along with the Center for Homeland Security and Defense, the only Department of Homeland Security-sponsored master's degree program, SIGS is at the cutting edge of 21st century security and homeland defense challenges.

The most recent jewel in this crown of programs at the School of International Graduate Studies is the Global Center for Security Cooperation. Continuing as director of the center, Bob Ord brings dynamic leadership and breadth of experience to ensure the successful coordination of DOD international education programs.

Madam Speaker, I am proud to call Bob Ord a friend and I wish him well in the next chapter of his storied life.

## TRIBUTE TO CORPORAL JOSHUA C. BLANEY

**HON. SUE WILKINS MYRICK**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mrs. MYRICK. Madam Speaker, I would like to honor CPL Joshua C. Blaney. On December 12, 2007, CPL. Joshua C. Blaney of Matthews, North Carolina, passed away. He was a member of the 173rd Airborne in Vicenza,

Italy, and was serving his country in Afghanistan when his convoy was hit by an IED.

Corporal Blaney paid the ultimate sacrifice for his country and his life should be remembered. He entered combat in northern Iraq on March 26, 2003, which opened the northern front and led to the ouster of Saddam Hussein from power. He was wounded in Iraq and received the Purple Heart. Corporal Blaney served two tours in Afghanistan and received the Bronze Star and Purple Heart. He was a true patriot and is an inspiration to all of us. He fought for our freedom and we owe it to him and his family to keep his memory alive.

HONORING TOM QUINN

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Mr. Tom Quinn upon being named the 2008 Conservationist of the Year. Mr. Quinn will be recognized at TuCare's Annual Dinner and Auction in Sonoma, CA on January 19, 2008.

Tom Quinn received his bachelor's degree from Rutgers University in 1977. He then went on to receive a master's degree in forest management from the University of Idaho, and a Ph.D. in natural resources policy, management and administration from Michigan State University. Mr. Quinn taught forestry at the University of Idaho until 1981, when he joined the United States Forest Service.

Mr. Quinn has served 27 years with the Forest Service. He began his Forest Service career in Oregon at the Malheur National Forest. He has also worked at Boise National Forest in Idaho, Olympic National Forest in Washington, Coronado National Forest in Arizona, Santa Fe National Forest in New Mexico and Stanislaus National Forest in California. Mr. Quinn has served in many different capacities with the Forest Service, including planning, recreation, wilderness, fire and lands staff, acting district ranger, district ranger and primary staff officer.

Currently, Mr. Quinn is the Forest Supervisor for the Stanislaus National Forest headquartered in Sonoma, CA. In this position, he has been able to work effectively with the public, various organizations, forest employees, and Government agencies in order to discuss alternatives to off-highway recreation vehicle use adjacent to urban areas. He has also worked to develop a 5-year vegetation management plan to help reduce the risk of fire. This plan will help to increase the volume of timber to local mills. He has been working with stake holders on the issue of grazing, recreation and other national forest programs. Mr. Quinn has a long history of helping the Forest Service improve customer service and program performance by working with all of those that play a role in, and around, the Forest Service. Recently, Mr. Quinn was named Forest Supervisor for the Tahoe National Forest headquartered in Nevada City, CA.

Madam Speaker, I rise today to commend and congratulate Mr. Tom Quinn upon being awarded with "The Conservationist of the Year." I invite my colleagues to join me in wishing Mr. Quinn many years of continued success.

IN MEMORY OF MABEL CLAIRE  
MADDREY

**HON. BOB ETHERIDGE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. ETHERIDGE. Madam Speaker, today I rise to honor the life of Mabel Claire Maddrey, who passed away on Monday, January 14, 2008, at the tender age of 100. In her passing, North Carolina lost a heroine and a woman who was instrumental in her community, county, and State.

A native of Ahoskie, NC, Mabel was born on April 27, 1907, the daughter of Charlie C. Hoggard and Tulie E. Hoggard. She graduated from Meredith College in 1928 and from Columbia University with a masters degree in History in 1929. In 1931, she married Charles Gordon Maddrey. She remained active at Meredith College her entire life and was named a trustee emerita and was a recipient of Outstanding Alumna Award. She was the first chairperson of Meredith College Heritage Society—Planned Giving—and established the Mabel Claire Maddrey Scholarship Fund. She was very proud of being instrumental in the planning, design and fund-raising of Jones Chapel, dedicated in 1982. Meredith College honored her by dedicating the Mabel Claire Maddrey Parlor in the Alumnae House.

She was past president of the North Carolina Baptist Women's Missionary Union and in the 1950s was the first woman to be elected nationwide to the Southern Baptist Convention Board. She was a gifted speaker and spoke in numerous Baptist churches throughout North Carolina. She served as a deaconess in both First Baptist Church of Ahoskie and First Baptist Church of Raleigh. In July 1998, she was featured on the front page of the New York Times in front of First Baptist Church, Raleigh, in an article about Baptist churches withdrawing from the Southern Baptist Convention because of its positions on women and their role in the Baptist Church.

She was active in the N.C. Federation of Women's Clubs for over 60 years and served as State president and as a past president of the Raleigh Woman's Club. A parlor in the Raleigh Woman's Club building is named in her honor. Politically, she has been chairperson for North Carolina women for a major gubernatorial candidate, chairperson for North Carolina women for a major Presidential candidate and past president of the Democratic Women of Wake County. In the late 1960s, she initiated the highly popular annual Jefferson-Jackson Day breakfast, hosted by Democrats of Wake County, which is held annually. She was a past president and member of the Sir Walter Cabinet for over 50 years. She was a past member of the North Carolina Economic Development Board and a director of the North Carolina Museum of Natural History. Mrs. Maddrey was the recipient of the Governor's Award for Distinguished Service, inductee in Raleigh's YWCA Academy of Women and North Carolina Council for Women Distinguished Women Award. She has been featured as a News & Observer Tar Heel of the Week.

On the occasion of her 90th birthday, Governor James B. Hunt, Jr., proclaimed that day Mabel Claire Maddrey Appreciation Day and the proclamation stated in part, "Mabel Claire

Maddrey embodies the spirit of public service and neighbor helping neighbor, inspiring the best in others, and Whereas Mabel Claire Maddrey personifies dignity, grace and perfection in all her endeavors and Whereas Mabel Claire Maddrey continues to serve the people of North Carolina and cares deeply about the community and the State." Mabel was preceded in death by her husband, Charles Gordon Maddrey. She is survived by her children, Charles H. Maddrey and wife, Rose Maddrey, Joseph G. Maddrey and wife, Elizabeth Maddrey; and 4 grandchildren, Charles Gordon Maddrey II, Gregory Hoggard Maddrey, Claire Webb Maddrey and Joseph Huntley Maddrey.

Madam Speaker, Mabel Claire Maddrey had a commitment to excellence in everything she did, and she had a way of bringing out excellence in everyone around her. Mabel was a respected and a successful dedicated public servant, and a great North Carolinian. It is fitting that we honor her and her family today.

CONGRATULATING JANE  
ERICKSON

**HON. THOMAS G. TANCREDO**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Jane Erickson of Castle Rock, Colorado. Ms. Erickson teaches English as a foreign language while attending Hobart and William Smith Colleges and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Erickson and wishing her the best in her future endeavors.

COMMEMORATING THE 35TH  
ANNIVERSARY OF ROE V. WADE

SPEECH OF

**HON. AL GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 22, 2008*

Mr. AL GREEN of Texas. Mr. Speaker, I wish to commemorate the 35th Anniversary of Roe v. Wade, a United States Supreme Court decision that broadened women's rights nationwide.

On January 22, 1973, three years after "Jane Roe" was denied an abortion in a Texas district court, the Supreme Court decided that the Fourteenth Amendment right of personal privacy was broad enough to cover a woman's decision whether to terminate her pregnancy. The Texas statute proscribed all abortions not necessary "for the purpose of

saving the life of the mother.” “Jane Roe”, or Norma McCorvey, desired an abortion because she was raped; however, her rights were firmly denied in the Texas courts. Her case made it to the Supreme Court by way of an appeal in 1971. The case was argued twice before the Supreme Court because Associate Justice William Rehnquist initially missed part of the arguments. After great debate and deliberation, the Supreme Court struck down the Texas statute as unconstitutional. The decision was made in favor of Roe by a vote of 7 to 2, with Justices William Rehnquist and Byron White dissenting. Justice Harry Blackmun wrote the opinion of the court declaring that it is a woman’s constitutional right to decide whether to carry a pregnancy to term. The court ordered that the performance of an abortion should not be criminalized and also ordered that access to an abortion should not be restricted, limited or unnecessarily difficult.

The 35th Anniversary of *Roe v. Wade* is a momentous occasion because it symbolizes the notion of liberty and justice for all people under the constitution. Women have historically been deprived of equal rights and liberty, but this court decision brought a new day for all women. I respectfully commemorate the anniversary of *Roe v. Wade*.

IN HONOR OF REV. DR. ROSS  
OLIVIER

**HON. CHARLES W. “CHIP” PICKERING**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. PICKERING. Madam Speaker, as we start this New Year, I would like to recognize the service of a special and gifted man who has touched the hearts of Mississippi. On July 4, 2004, the congregation of Galloway Methodist Church in Jackson, Mississippi was blessed with Reverend Ross Olivier as he delivered his first sermon. Sunday, January 13, 2008, his tenure ended and he preached his last message. Ross will travel back home to South Africa to be with his family.

Ross Olivier came to Mississippi in 2004 through a partnership with the Mississippi Conference and the Methodist Church of Southern Africa. He entered Methodist ministry in 1980 and at the end of training received the Flowerday Memorial Award as the outstanding ordinand in the Methodist Church of Southern Africa. He was appointed parish minister to the Heidelberg Circuit and was responsible for 24 racially and culturally diverse congregations. Throughout this time of ministry he touched and healed a broken community during some of the harshest years of the Apartheid era of Southern Africa. In 1994, he traveled throughout six countries, serving the MCSA with a Journey to a New Land, an initiative to refocus the mission of the church in the post-Apartheid years. Later in 1997, he became senior pastor of Northfield Church serving a congregation of 5,000 members. Two years later he was elected to serve the MCSA as General Secretary of 4,500 congregations and 25 million Methodists in Southern Africa.

This challenging, yet gratifying career path gave him a respect for the differences in culture and the tools along with the expertise he

needed to reshape the Galloway Methodist Church community in Jackson. To Mississippi he brought an open and compassionate heart. He strived to form a more inclusive church, one where all are welcomed into the house of the Lord. Through partnerships, he taught that the church could transcend barriers and that the focus should be on economic and social interest, not the color of your skin. He brought transformation, healing, and reconciliation to the state of Mississippi by using the church as a bridge between diverse communities. Reverend Olivier was also very instrumental in bringing about a Faith and Politics Institute pilgrimage to Mississippi. This journey will be co hosted by Congressman BENNIE THOMPSON and myself in late March of this year. It is my hope that Ross will be able to join us then to experience firsthand the fruits of his labor.

Madam Speaker, Reverend Ross Olivier has been an inspiration to Mississippi and to me. He taught a love and responsibility for community; we each have a role that we must honor and uphold. His teachings will be remembered and he will be greatly missed by his congregation and all who knew him. As he journeys back to South Africa to lead a congregation in Pretoria, the lives he touched in Mississippi will remain forever changed and grateful.

SUNSET MEMORIAL

**HON. TRENT FRANKS**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. FRANKS of Arizona. Madam Speaker, because the end of the hour grows close, I would now come before this body with a sunset memorial. We intend to repeat this from time to time to chronicle the loss of life by abortion on demand in this country.

Madam Speaker, it is January 28, 2008, in the land of the free and the home of the brave, and before the sun sets today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand just today.

Exactly 35 years today, the tragic judicial fiat called *Roe v. Wade* was handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million children. Madam Speaker, that is more than 16,000 times the number of innocent lives lost on September 11.

Each of the 4,000 children that we lost today had at least four things in common. They were each just little babies who had done nothing wrong to anyone. And each one of them died a nameless and lonely death. And each of their mothers, whether she realizes it immediately or not, will never be the same. And all the gifts that these children might have brought to humanity are now lost forever.

Madam Speaker, those noble heroes lying in frozen silence out in Arlington National Cemetery did not die so America could shred her own Constitution, as well as her own children, by the millions. It seems that we are never quite so eloquent as when we decry the genocidal crimes of past generations, those who allowed their courts to strip the Black man and the Jew of their constitutional personhood, and then proceeded to murder-

ously desecrate millions of these, God’s own children.

Yet even in the full glare of such tragedy, this generation clings to blindness and invincible ignorance while history repeats itself and our own genocide mercilessly annihilates the most helpless of all victims to date, those yet unborn.

Perhaps it is important for those of us in this Chamber to remind ourselves again of why we are really all here.

Thomas Jefferson said, “The care of human life and its happiness and not its destruction is the chief and only object of good government.”

Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here. It is our sworn oath. The phrase in the 14th amendment encapsulates our entire Constitution. It says: “No state shall deprive any person of life, liberty or property without due process of law.”

The bedrock foundation of this Republic is the declaration, not the casual notion, but the declaration of the self-evident truth that all human beings are created equal and endowed by their creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core self-evident truth. It has made us the beacon of hope for the entire world. It is who we are.

And yet today, Madam Speaker, in this body we fail to honor that commitment. We fail our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 innocent American babies who died without the protection we should have given them.

Madam Speaker, I believe that this discussion presents this Congress and the American people with two destiny questions.

The first that all of us must ask ourselves is very simple: Does abortion really kill a baby? If the answer to that question is “yes,” there is a second destiny question that inevitably follows. And it is this, Madam Speaker: Will we allow ourselves to be dragged by those who have lost their way into a darkness where the light of human compassion has gone out and the predatory survival of the fittest prevails over humanity? Or will America embrace her destiny to lead the world to cherish and honor the God-given miracle of each human life?

Madam Speaker, it has been said that every baby comes with a message, that God has not yet despaired of mankind. And I mourn that those 4,000 messages sent to us today will never be heard. Madam Speaker, I also have not yet despaired. Because tonight maybe someone new, maybe even someone in this Congress, who heard this sunset memorial will finally realize that abortion really does kill a baby, that it hurts mothers more than anyone else, and that nearly 50 million dead children in America is enough. And that America is great enough to find a better way than abortion on demand.

So tonight, Madam Speaker, may we each remind ourselves that our own days in this sunshine of life are numbered and that all too soon each of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on another day yet to come, may that be the day that we hear the cries of the unborn at last. May that be the day we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect the least of these, our

tiny American brothers and sisters, from this murderous scourge upon our Nation called abortion on demand.

This is a sunset memorial, Madam Speaker. It is January 28, 2008, in the land of free and the home of the brave.

#### CONGRATULATING JAMES LONG

#### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Mr. James Long of Littleton, Colorado. Mr. Long is a student of political science at the University of California, San Diego and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Mr. Long and wishing him the best in his future endeavors.

#### IN HONOR OF THE CENTER FOR HOMELAND DEFENSE AND SECURITY AT THE NAVAL POSTGRADUATE SCHOOL, MONTEREY, CALIFORNIA

#### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. FARR. Madam Speaker, I am pleased to advise my colleagues of the 5th anniversary of the Center for Homeland Defense and Security, located at the Naval Postgraduate School in Monterey, CA. NPS has always been at the forefront of military graduate education for all the military Services and no more so than 5 years ago, when the School was selected by the Department of Homeland Security to fill a critical gap in graduate level education for our current and future leaders of homeland defense and security.

Since 2002, the Center has graduated nearly 200 students from the ranks of our Nation's first responders—public health, law enforcement, fire, emergency management and other disciplines that make up homeland security, and from almost every State in the country. The highly competitive application process and the rigorous academic excellence of the master's degree program ensures that Center graduates are having a significant impact on protecting the Nation. Moreover, the success of the Center in Monterey compelled the Department of Homeland Security in June 2007 to establish the DHS Homeland Security Academy in the National Capital Region. NPS was again called upon by DHS to replicate the Center's success by providing faculty and cur-

riculum for DHS employees at the second site in West Virginia. At that time, FEMA Administrator Paulson said the following, "The NPS master's program has a proven track record of building a national network of leaders who work across agency and jurisdictional lines to solve problems and protect the American people. We are very pleased to be able to leverage this successful program and offer more opportunity for DHS employees to learn in a setting that mirrors homeland security across the Nation."

Success has many fathers and I would like to pay special tribute to two former NPS leaders who were instrumental in bringing the Center to NPS—Provost Dick Elster and Associate Provost Paul Stockton. Their recognition that NPS offers a highly qualified, multi-disciplinary academic faculty, together with Dr. Stockton's willingness to do the hard work necessary to develop a Homeland Security master's degree curriculum—literally from scratch—coupled with the school's inherent relationships with the COCOMS—in this instance NORTHCOM—reinforced former Secretary Ridge's decision to select the Naval Postgraduate School for one of our Nation's most important homeland security education missions.

There are many other partners, stakeholders, and sponsors who have influenced the success of the Center and who deserve recognition, including current Center Director Glen Woodbury and David O'Keeffe, who leads the DHS Homeland Security Academy in Shepherdstown, WV, along with the current president of NPS, Admiral Oliver and Provost Dr. Ferrari. All of these folks will continue to lead the Center into the future with the same success that has been achieved in these last 5 years.

#### HOPE VI IMPROVEMENT AND REAUTHORIZATION ACT OF 2007

SPEECH OF

#### HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, January 17, 2008*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3524) to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes:

Ms. CLARKE. Madam Chairman, I rise in support of H.R. 3524, the "HOPE VI Improvement and Revitalization Act of 2007," which eradicates severely distressed public housing.

Ever since public housing was first created, there were many obstacles that hindered its success. As time progressed, many public housing units became nothing more than a highly concentrated community containing many of society's social problems such as poverty, high crime, and unemployment. Consequently, many units became deplorable and uninhabitable. But H.R. 3524 would help transform many severely distressed neighborhoods into the livable communities that public housing was originally intended to be for many low-income families.

The HOPE VI program was created in 1992 and has been credited with eliminating and replacing some of the most dangerous and dis-

tressed public housing in the country with new mixed income communities. It has been reported that mixed-income communities have resulted in increases in per capita incomes, decreases in unemployment rates, decreases in the number of households receiving public assistance, and declines in violent crime.

Therefore, one of the reasons why I support H.R. 3524 is because this bill would require public housing agencies to create more mixed-income housing on demolished low-income housing sites. Also, these mixed-income housing units developed to replace demolished public housing would have to be built in low-concentrated poverty areas to avoid concentrating public housing in low-income neighborhoods.

Other reasons why I support this bill is because it provides more replacement housing units; ensures residents have access to revitalized sites; provides residents with more involvement in the planning and redevelopment process; and establishes green development standards for HOPE VI revitalization activities.

Therefore, Madam Chairman, I urge my colleagues for strong bipartisan support of the HOPE VI Improvement and Revitalization Act of 2007, which will redefine public housing by transforming distressed communities into new, safe sustainable communities for many families who deserve it.

#### CONGRATULATING NATHANIEL CAMPBELL

#### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Mr. Nathaniel Campbell of Bailey, Colorado. Mr. Campbell is a literature student at Boston College and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Mr. Campbell and wishing him the best in his future endeavors.

#### IN TRIBUTE TO ALBERT NÁJERA AND HIS 36 YEARS OF SERVICE WITH THE SACRAMENTO POLICE DEPARTMENT

#### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Ms. MATSUI. Madam Speaker, I rise in tribute to Albert Nájera, Sacramento's outstanding police chief as he retires from the department he has spent the last 36 years serving. Chief

Nájera rose through the department's ranks to become the city's police chief in 2003. As his friends, family and coworkers all gather to celebrate his farewell, I ask all my colleagues to join me in honoring his leadership and many remarkable accomplishments.

Chief Nájera is a native son to Sacramento. He was born and raised in Sacramento, and attended Luther Burbank High School before moving on to California State University, Sacramento, and California State Polytechnic University, Pomona. Following his studies, Chief Nájera joined the Sacramento Police Department on April 1, 1971. Nájera started his career as a community oriented police officer and distinguished himself as a reliable and dedicated officer who would work tirelessly to protect the public.

On October 22, 2003, Chief Nájera was appointed as Sacramento's 42nd Chief of Police. He inherited a department under tough circumstances and worked hard to remedy the difficulties. At the time of his installation, violent crime was on the rise, relations with the local union were strained and the department was experiencing an alarming rate of turnover. Chief Nájera's leadership provided much needed stability and the city's police department has made tremendous progress under his tenure.

Chief Nájera has often been lauded by officers for his hands-on and personable style. He has successfully rebuilt relationships between the community and the police department, while also raising the morale of his officers. Chief Nájera has been a champion of attendance centers at local high schools to deal with chronic truants who otherwise might be caught up in gang-related crime. His leadership on this issue and efforts to curb gang activity are evident by the decline in homicides during 2007. Chief Nájera led a crackdown in the previous summer that involved moving officers from other units into gang enforcement. This reorganization is evidence of Chief Nájera's ability to reinvent the department under dire circumstances.

As chief, larger issues such as emergency preparedness also were on his mind. In June of 2007, Chief Nájera was appointed to the Federal Emergency Management Agency's, FEMA, newly created National Advisory Council. The National Advisory Council was initiated to advise FEMA on all aspects of preparedness and emergency management in an effort to increase coordination with its partners across the country. Chief Nájera's appointment to this critical position is evidence of his understanding of complexities of emergency management and homeland security.

Madam Speaker, I am honored to recognize the numerous contributions made by Sacramento Police Department Chief of Police Albert Nájera during his 36 years with the department, and the last 4 as Chief. Chief Nájera accession to the department's top post is a testament to his hard work and devotion to the city of Sacramento. I wish him, his wife, Barbara, and his daughter Alesandra continued success in his retirement. On behalf of the people of Sacramento and the Fifth Congressional District of California, I ask all my colleagues to join me in thanking my friend, Chief Nájera for his public service as we wish him success in his future endeavors.

HONORING FATHER VAHAN  
GOSDANIAN

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Father Vahan Gosdanian upon celebrating his 10th anniversary of service to the Holy Trinity Armenian Apostolic Church in Fresno, California. Father Gosdanian is being honored at the 107th Annual Banquet held on January 24, 2008.

Father Gosdanian was born in Beirut, Lebanon. He immigrated to the United States in 1986. After his primary and secondary education he pursued a career in graphic design. As a graphic designer he owned his own business in Beirut. Due to the civil war in Beirut, Lebanon, Father Gosdanian, and his wife, Sossie Simonian, immigrated to Los Angeles and he continued to work as a graphic designer. However, he always wanted to attend seminary school and become a Vertabed. Prior to becoming a Vertabed, his religious background included attending Sunday school, becoming a Sunday school teacher and principal and altar serving.

Father Gosdanian began taking classes through the Western Prelacy and was ordained into priesthood on March 14, 1993 in Los Angeles, California. He was appointed as the pastor of St. Sarkis Armenian Apostolic Church in Pasadena, California. While there, he published the monthly newsletter and attended to the needs of his parish. To further his education, Father Gosdanian attended classes at the Mennonite Brothers Bible College.

In the 10 years that Father Gosdanian has served at Holy Trinity Armenian Apostolic Church in Fresno he has implemented many new programs. The church now holds an annual graduate banquet to honor all Central Valley high school and university graduates that are of Armenian descent. The church serves a traditional dinner for Christmas Eve and Easter for those that attend the service. He also leads a Tuesday night Bible study group and regularly visits the California Armenian Retirement Home and other adult day care centers. For the Fresno community, Father Gosdanian performs prayers as needed or requested by civic leaders and attends prayer breakfasts. He is also among a group of pastors that recently joined the prison chaplain program.

Madam Speaker, I rise today to commend and congratulate Father Vahan Gosdanian on 10 years of service to the church and the community. I invite my colleagues to join me in wishing Father Gosdanian many years of continued success.

HONORING THE LIFE OF PRIVATE  
FIRST CLASS DAVID H.  
SHARRETT II

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. DAVIS of Virginia. Madam Speaker, I rise today to honor the life of PFC David H. Sharrett II and to recognize his service to our Nation.

Private First Class Sharrett was a true patriot who served his country with honor. Throughout his life he selflessly dedicated himself to his fellow soldiers, family and friends, and to our country.

David Sharrett grew up in Oakton, Virginia, where he attended Oakton Elementary, Cooper Intermediary, and Oakton High School. During his high school career he was a star defensive end for the Oakton football team, helping the Cougars set the school record for greatest number of wins that season.

Before joining the Army, Private First Class Sharrett worked several jobs and attended Northern Virginia Community College. Yearning to serve his country, he enlisted in the Army in August 2006, and began his first deployment shortly thereafter. PFC Sharrett was assigned to the 1st Squadron, 32nd Cavalry Regiment of the 101st Airborne Division's 1st Brigade Combat Team, in Fort Campbell, Kentucky. Tragically, he was killed on January 16, 2008, after sustaining injuries from grenade and small arms fire during combat operations in Balad, Iraq. Throughout his military career he was honored with the National Defense Service Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, and the Expert Weapons Qualification Badge.

Private First Class Sharrett is survived by his parents, David Sharrett and Kimberly Drummond, his two younger brothers, Chris and Brooks, and his wife, Heather Shell.

Madam Speaker, in closing, I would like to honor the memory of PFC David H. Sharrett II. I call upon my colleagues to remember him as a man who gave his life protecting the American people.

### RECOGNIZING GARY BAUMANN

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Gary Baumann, of Savannah, MO. On December 31, 2007, Gary retired from the United States Department of Agriculture—Rural Development with 21 years and 5 months of Federal service.

Gary started his career with USDA in 1975 as an Emergency Loan Assistant County Supervisor working for Farmers Home Administration in the Savannah, Missouri, office. Gary



made many moves across northwest Missouri with USDA during his tenure, working in the Savannah, St. Joseph, Maryville, Bethany, and Maysville offices.

On October 15, 1995, Gary was reassigned to Community Development Manager of the USDA—Rural Development area office in St. Joseph, MO, where he worked Community Development in a 5-county region consisting of Andrew, Buchanan, Clinton, DeKalb and Platte Counties. Gary worked in the St. Joseph Office until he retired at the end of 2007.

Madam Speaker, I proudly ask you to join me in recognizing Gary Baumann, whose dedication to USDA and northwest Missouri has been truly exceptional. In my time in Congress, USDA Rural Development has been a great resource to work with, and it is people like Gary who have made that relationship between my office and USDA Rural Development what it is today. I am honored to serve him in the United States Congress.

IN MEMORIAL OF LORETTA S.  
WOODARD

**HON. BOB ETHERIDGE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. ETHERIDGE. Madam Speaker, today I use to honor the life of Loretta S. Woodard of Princeton, North Carolina, who passed on Friday, January 4, 2008 at the age of 64. In her passing, I have lost a dear friend and North Carolina has lost one of its most outstanding citizens and a woman who was instrumental in her community, county, and State.

One of the area's most beloved women, my friend Loretta S. Woodard, was a native of Johnston County and the daughter of the late Muldrow and Hilda Barbour Sawyer. Loretta was a graduate of Elizabeth City Schools and received her business degree from Hardbarger's Business College in Raleigh. She worked in the dental project at the UNC School of Public Health in the Department of Epidemiology. She was married to Carlyle Woodard in 1966, and following his graduation from the UNC School of Pharmacy, they moved to Princeton to make their home.

Loretta was a long-time member of Princeton Baptist Church and served in many capacities through the years. She was involved in all areas of life in Johnston County—educational, civic and political. She was a member of the board of trustees of Johnston Community College, the Johnston Community College Foundation, and the Paul A Johnston Auditorium on stage series board. At the time of her death she served on the Johnston County Heritage Commission and was a founding member of the Heritage Center following the Johnston County's 250th anniversary celebration, where she was a member of the steering committee.

Loretta Woodard was brought into the political arena by her mentor, the late NC House Representative, Barney Paul Woodard. She became active in the Democratic Party, on the precinct and county levels. She served as chairperson of the Johnston County Democratic Party and later as president of the Johnston County Democratic Women. She served 13 years as chairman of the Second District Democratic Party. She also served on the State Democratic Executive Committee, was a

former national convention delegate, and for a number of years was responsible for the decorations at the annual Jefferson-Jackson dinner. She successfully chaired political campaigns in the county for Representative Woodard and Jack Gardner and for numerous other candidates, including Jim Speed, Charlie Whitley, Martin Lancaster, Allen Wellons, and she also worked on my campaigns. Loretta served on the restoration committee for the Goodwin House, home to the North Carolina Demarcated party. Loretta is survived by her husband Carlyle Woodard, and her two sons Carlyle "Lyle" Woodard III and wife, Janet, and Bradford Stuart Woodard.

Madam Speaker, Loretta was an outstanding person who used every minute of her long and productive life to make the world a better place. She was a well respected and dedicated public servant, and a great North Carolinian. It is fitting that we honor her and her family today.

CONGRATULATING CECILIA  
DANIELS

**HON. THOMAS G. TANCREDO**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Cecilia Daniels of Castle Rock, Colorado. Ms. Daniels is a teacher of English as a foreign language at Highlands Ranch High School and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Daniels and wishing her the best in her future endeavors.

EXPRESSING THE SENSE OF CONGRESS THAT THE UNITED STATES HAS A MORAL RESPONSIBILITY TO MEET THE NEEDS OF THOSE PERSONS, GROUPS AND COMMUNITIES THAT ARE IMPOVERISHED, DISADVANTAGED OR OTHERWISE IN POVERTY

SPEECH OF

**HON. AL GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 22, 2008*

Mr. AL GREEN of Texas. Madam Speaker, I express my strong support for H. Con. Res. 198, a resolution expressing the sense of Congress that the United States has a moral responsibility to meet the needs of those who are disadvantaged or impoverished and that our country should set a national goal of cut-

ting poverty in half over the next 10 years by promoting good jobs at livable wages.

In this land of hope and opportunity, all working families should also be able to rely on the product of their labor to feed, clothe, house and provide health care for their families. Unfortunately, all too many working Americans are unable to do so. Today, 35 million Americans will go to sleep hungry. Thirty-seven million Americans still live in poverty and 47 million Americans are without health insurance. In my home state of Texas, 16,000 brave men and women who have served nobly in our Nation's military go homeless every night.

These statistics are unbecoming of the wealthiest Nation in the history of our planet. As a Nation, we must undertake all efforts necessary to end the scourge of poverty. One of the best ways to move forward in this effort is to promote good jobs and to ensure that all jobs pay livable wages.

Congress made great progress last year by passing a long-overdue increase in the minimum wage and providing that it will increase to \$7.25 per hour next year. A full-time job should be a bridge out of poverty, an opportunity to make a living through work. Unfortunately, for many Americans, especially those with families, it is not.

In our great country, it is unacceptable that poverty continues to devastate the lives of tens of millions of our fellow Americans. For this reason, I strongly support this resolution and believe that Congress must continue working to make the principles expressed in the resolution a reality. I am proud to be a co-sponsor of this important resolution and I commend my good friend and colleague, Ms. BARBARA LEE of California, for introducing the resolution.

HONORING IRVIN DYER

**HON. JIM RAMSTAD**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. RAMSTAD. Madam Speaker, I rise to speak about an American who is making a real difference in the fight against alcohol and other drug addiction. At the same time, he is projecting a positive image of Americans among the international community.

On November 29 of last year, the National Anti-Drug Agency of Romania presented its National Excellence Awards. Honorees included the French Ambassador, the Russian Ambassador and the United Nations Representative. I'm proud to say, Madam Speaker, that an American was also recognized for his efforts, Mr. Irvin Dyer.

Born and raised in Arizona, Mr. Dyer moved to Romania for business 15 years ago. Having become a successful businessman and the father of three beautiful children, Mr. Dyer was moved to action by the debilitating effects that drug and alcohol addiction was having on the people of Romania. In 2003, he became an advisor to the president of the Romanian Anti-Drug Agency, President Pavel Abraham. Since then, he has worked tirelessly to assist the Anti-Drug Agency in its efforts to stem the tide of illegal drugs and to help and treat those who have fallen victim to addiction's awful grip.

Irvin Dyer's actions in Romania serve not only the people of Romania, but the whole world. The goodwill he spreads reflects well on Americans and our belief in caring for those less fortunate, protecting the future for our children and making the world a better place for all people.

We should all be grateful for the wonderful example of Mr. Dyer, and like him, reach out to help the millions of people suffering the ravages of addiction.

#### HONORING THE FLORIDA ASSOCIATION OF AGENCIES SERVING THE BLIND

##### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to recognize a wonderful organization in my State of Florida, the Florida Association of Agencies Serving the Blind (FAASB).

FAASB has an honorable mission to serve as a united voice and be the organizational support empowering private agencies serving Floridians with blindness and visual impairment to provide state of the art professional vision rehabilitation services which enhance the quality of individual and community life.

I would like to praise FAASB for its successful initiative to create the first-ever state license plate benefiting the blind. Additionally, I must commend them for creating a vision caucus in the Florida State Legislature, similar to the Congressional Vision Caucus, which I co-chair. This State Vision Caucus will educate members of the State Legislature so they comprehend the scope of eye problems in our country and will ensure adequate resources are directed towards the research, prevention and treatment of eye disease.

FAASB has also created an annual Florida Vision Summit, where they look to create a statewide vision strategy to raise awareness about the increasing number of Americans with vision loss and provide better understanding of the importance of necessary steps to preserve and protect eyesight.

Once again, I would like to thank FAASB for their continued commitment to prevention, better eye care, and services to those who already live with low vision and blindness. I congratulate them on their achievement and service to the community.

#### HUNTING IN THE NEW RIVER GORGE NATIONAL RIVER

##### HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. RAHALL. Madam Speaker, the New River Gorge National River in southern West Virginia was designated as a unit of the National Park System in 1978. At times referred to as the 'Grand Canyon of the East' we in West Virginia refer to the Grand Canyon as the 'New River Gorge of the West.' The national river is comprised of over 70,000 acres of mostly rugged terrain and is renowned as a

destination for its world-class whitewater recreation, rock climbing and other outdoor activities. But it is also a place where generations of West Virginians have hunted and fished. Unfortunately, the ability to hunt in the gorge is now being drawn into question.

As the Congressman from New River County, today I am introducing legislation to ensure that hunting remains a purpose of the New River Gorge National River.

I view it as a God given right for West Virginians to hunt in the New River Gorge. This area is not immune from activities such as housing developments that are placing a premium on lands where hunting by the general public may take place.

Unfortunately, the National Park Service, as part of the development of a new general management plan for the park unit, has included a no hunting alternative. It is doing so because the legislation which established the New River Gorge National River states that hunting "may" be permitted. The enabling statute for the nearby Gauley River National Recreation Area, on the other hand, states that hunting "shall" be allowed. In fact, this is the case for the vast majority of the 62 units of the National Park System in which hunting is permitted.

The bill I am introducing today simply changes the "may" to a "shall" in the law which established the New River Gorge National River. While there is no doubt in my mind that the current Superintendent of this park unit will do the right thing and allow hunting to continue in the final general management plan, this is too important of an issue to remain at the discretion of future managers of the park unit.

#### RECOGNIZING THE 150TH ANNIVERSARY OF METROPOLITAN FAMILY SERVICES

##### HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. JACKSON of Illinois. Madam Speaker, I rise today to commend Metropolitan Family Services on its 150 years of service to individuals and families of the Chicago metropolitan area.

Metropolitan Family Services, MFS, was launched on February 15, 1857, as the Chicago Relief and Aid Society, renamed as United Charities in 1909, and then renamed again in 1995 as Metropolitan Family Services.

MFS was assigned by Chicago Mayor R. B. Mason to help citizens recover after the Chicago Fire. It assisted more than 18,000 families, constructing more than 7,000 temporary homes and administering more than \$10 million, in 1871 dollars in aid donated around the world.

MFS was one of the Nation's first organizations to provide free legal services for the poor through the Legal Aid Society.

A leader in meeting the needs of thousands of people through the Great Depression, World War II, and postwar years, MFS provided a range of services including mental health counseling, elder care, and early childhood education.

MFS successfully advocated for State legislation enacted in 2005 that protected poor and

lower-income families from predatory lending practices.

Presently, Metropolitan Family Services employs 559 professionals serving close to 55,000 families and individuals. It has seven community centers that provide a full range of services, including child and youth development, mental health services, child welfare, employee assistance programs, legal aid, services for older adults and their families, social policy and community development, and violence prevention and intervention.

I congratulate MFS on its success in providing and mobilizing the services needed to strengthen Chicago area families and communities.

#### CONGRATULATING KIRSTEN AMBORS

##### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Kirsten Ambors of Parker, Colorado. Ms. Ambors is a mathematics student at the U.S. Coast Guard Academy and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Ambors and wishing her the best in her future endeavors.

#### HONORING THE UNITED STATES ARMY'S RESIDENTIAL COMMUNITIES INITIATIVE UPON ITS 10TH YEAR

##### HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. EDWARDS. Madam Speaker, I rise today to recognize the tenth year of a unique program in the annals of our Nation's proud military heritage. On January 28, 1999, the Honorable Mahlon Apgar, IV, then Assistant Secretary of the Army for Installations, Logistics and Environment, first presented the Residential Communities Initiative, known as RCI, in a briefing to the Urban Land Institute. Few in that distinguished audience of real estate developers, financiers and public officials appreciated the far-reaching impact that RCI would have on the Army, on industry, and, most importantly, on improving the quality of life for thousands of military families.

At that time, the Army faced a monumental challenge in its Government-owned housing and infrastructure. Seventy-five percent of the family housing on Army posts was substandard, and the poor conditions were hurting

recruiting and retention. Military communities lacked amenities that most other Americans enjoyed. The Army's construction and maintenance backlog exceeded \$6 billion, with no predictable funding sources in sight. Complicated, cumbersome business processes caused significant delays in planning and executing housing programs.

Today, as we start RCI's tenth year, it is a major success. In fact, the Bush Administration calls RCI the "most important military housing improvement program in our Nation's history." I am honored to have played a leadership role in RCI from its start. Despite numerous challenges in policy, organization and execution, RCI has achieved high satisfaction rates among military families, lower development costs and faster construction, better housing, neighborhoods and community facilities, and more responsive maintenance and management. RCI encompasses over 88,000 new and renovated multi-family housing units—97 percent of the Army's U.S. housing stock—located on 45 installations in 20 states. RCI communities are purposefully and profitably built and managed by nine major real estate development groups and are financed with \$10 billion of new private capital, achieving 10-to-1 leverage of public investment—an exceptional result for the taxpayer. RCI projects are pioneering the use of manufactured housing, solar-powered and "green building" techniques, and "new urbanism" design concepts for safe, walkable neighborhoods, with community centers and leisure facilities that are especially important to military spouses and children during long deployments. RCI has spawned other military privatization programs for Army lodging, unaccompanied housing, retail and "lifestyle" centers, office parks and warehouse developments. RCI has become one of the Federal Government's largest public-private partnership programs.

I was proud to help Secretary Apgar steer RCI through four Congressional committees and a skeptical Army leadership. With no prior Washington experience but a clear vision of the future, a gracious manner and a pragmatic approach, he bore the brunt of considerable criticism and built coalitions among numerous stakeholders across the political and commercial spectrum.

Many saw RCI as a dilution of control, a diversion of resources, and a haven for profiteering. But Secretary Apgar saw it as a means of expanding the Army's military construction budgets with private capital, enlisting the entrepreneurship and capabilities of American business, and reforming the Army's approach to meeting infrastructure needs.

Madam Speaker, RCI has progressed from the vision and persistence of a single official, through the minefields of committee oversight and staff reviews and the complexities of our vast military organization, to a mature, sustainable, bipartisan, public-private partnership effort. At a time of enormous sacrifice by our soldiers and their loved ones, we can be proud of a program that provides military families with the quality housing and communities they so deserve. And in an era of economic stress, we should look to RCI for lessons that may help to meet our national challenges in rebuilding infrastructure and managing resources.

ON THE ANNIVERSARY OF THE  
MURDER OF JOURNALIST HRANT  
DINK

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. SCHIFF. Madam Speaker, it is with a mixture of anger and sadness that I rise today to honor the 1-year anniversary of the murder of Hrant Dink, the courageous Armenian-Turkish journalist, who was murdered by a Turkish extremist.

Mr. Dink founded the bilingual newspaper *Agos* in 1996, giving a voice to Turkey's Armenians. He acted on his beliefs of building community and acknowledging the past, for which he was persecuted, prosecuted and eventually forced to pay the ultimate price. Clearly, however, his life's work was not in vain; at his funeral, approximately 100,000 people marched behind his coffin, chanting, "We are all Dink. We are all Armenians."

Before Mr. Dink's untimely death last January, the Turkish government constantly tried to limit his freedom of speech. It confiscated copies of *Agos* on many occasions and on the flimsiest of pretenses. In 2004, Mr. Dink wrote an article stating that Turkey's first woman pilot was an Armenian orphan adopted after 1915. The government convicted him of insulting "Turkishness" under Article 301 of the Penal Code, a law specifically designed to prevent discussion of the Armenian Genocide. He received a 6-month suspended sentence. This was just one of several such prosecutions against Mr. Dink.

Mr. Dink's courage to confront the historical facts of the Armenian Genocide cost him his life. He continually received threatening telephone calls, e-mails, and letters. He reported this terrorization to the police, but they failed to protect him. On January 19, 2007, an extreme nationalist teenager shot Mr. Dink three times outside the *Agos* offices in Istanbul, killing him. Court hearings continue, but Mr. Dink's family stated that the investigation of his murder was conducted in secrecy and is incomplete.

Turkish prosecutions under Article 301 increased in 2007 and continued to affect Mr. Dink's family. Arat Dink, his son, published an interview in which Mr. Dink said that the 1915 to 1917 Armenian massacres constituted genocide. Last October Arat Dink received a 1-year suspended sentence for publishing this interview. Punishing Mr. Dink's son for publishing his murdered father's words is a travesty and exposes the lengths to which Ankara will go to hide the truth about the Armenian Genocide.

Mr. Dink's death was devastating to the democratic principle of a free and unfettered press and to the efforts of a handful of Turkish intellectuals who have been fighting to expose the crimes of Turkey's Ottoman predecessor. Denying the Armenian Genocide harms Turkey and imperils the future of this important nation. As the world marks the anniversary of Dink's murder, I reiterate my call for Turkey to honor the memory of Hrant Dink by repealing Article 301, and to acknowledge the truth of the Armenian Genocide.

Together with his family and colleagues, the Armenian community in Turkey, and his admirers around the world, we remember Hrant

Dink, heroic defender of speech and human rights, on the 1-year anniversary of his murder.

CONGRATULATING LESLIE  
ANDERSON

**HON. THOMAS G. TANCREDO**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Ms. Leslie Anderson of Longmont, Colorado. Ms. Anderson is a political science student at the University of Florida and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Ms. Anderson and wishing her the best in her future endeavors.

CHILDREN'S HEALTH INSURANCE  
PROGRAM REAUTHORIZATION  
ACT OF 2007—VETO MESSAGE  
FROM THE PRESIDENT OF THE  
UNITED STATES

SPEECH OF

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2008*

Mr. MARKEY. Madam Speaker, I rise today to urge a "yes" vote on overriding President Bush's veto of the urgently needed reauthorization of the Children's Health Insurance Program. Over the last several months, President Bush has had an opportunity to work with a bipartisan majority of Congress and provide health insurance to over 10 million low-income children. However, he decided instead to place himself on the wrong side of the history of health care and play politics with the health of American children.

The Children's Health Insurance Program is a highly successful program with a proven track record that is supported by an overwhelming majority of the American public. We need to reauthorize and build on the success of this program and override this ill-timed and unconscionable presidential veto.

A recent Joint Economic Committee report estimated that between 700,000 and 1.1 million additional children will enroll in Medicaid and CHIP programs each year due to slowing employment growth.

In fact, the JEC report notes, "The association between poor economic conditions and children's enrollment in Medicaid/CHIP is large, consistent, and statistically significant." So what does the president do as working families strain to make ends meet in the face of a looming economic crisis? He vetoes health care for poor children! This is unacceptable.

To my Republican colleagues, who are considering how to vote on this bill today—given the current economic landscape, I urge you to reject the President's radical stand against poor, sick children and join the overwhelming majority of the American public who support this important program.

It has been said that "Health is the first wealth." Well, what does it say about our country when many families that work hard to make ends meet are forced to choose between providing health care for their children and putting food on the table? If we are to give low-income families a chance to succeed in our society, we must give them access to the health care that they need and deserve.

We have known for some time that our nation has 9 million uninsured children, with the vast majority coming from families that cannot access affordable coverage. This number will only grow, as more and more families feel the squeeze of the increasing costs of living and unemployment rates.

Sadly, most of our Republican colleagues turned their backs on these families by voting to sustain President Bush's veto in October. Health coverage for all of our Nation's children should be a priority. Worsening economic conditions only reinforce the need to cover children from low-income families, in which parents are forced to choose between health care and necessities like food and shelter. No parent should have to choose between caring for a sick child and putting food on the table.

I urge an "aye" vote to override this veto.

#### PERSONAL EXPLANATION

### HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. COHEN. Madam Speaker, I was in the Chamber when votes were cast on H.R. 3524, the HOPE VI Improvement and Reauthorization Act of 2007. I listened to the debate, voted on all the amendments and the Motion to Recommit. However, due to circumstances beyond my control, I was unable to cast a vote of "aye" on the final passage of H.R. 3524.

#### CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

SPEECH OF

### HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2008*

Mr. AL GREEN of Texas. Madam Speaker, today the House took up a second vote to override the President's veto of bi-partisan, bicameral legislation to reauthorize and expand the State Children's Health Insurance Program (CHIP).

This bill, H.R. 3963, would maintain coverage for the 6.6 million children currently enrolled and expand coverage to 3.8 million children who are currently eligible but unenrolled.

In the face of a weakening economy, with unemployment rates on the rise, it is becoming

more and more difficult for parents to find affordable health insurance for their children. We know that when fewer Americans are employed, the number of uninsured in our nation will grow.

The vast majority of the American people believe in the value and necessity of the SCHIP program in providing access to health care for low-income children. This bipartisan SCHIP bill is supported by: 81 percent of the American people; 64 Senators (including 17 Republicans); 43 Governors (including 16 Republicans); and more than 270 organizations, including AARP, AMA, Catholic Health Association, and Families USA.

We live in a country where nearly 1 out of every 110 people is a millionaire. Unfortunately, this is the same country where more than 1 out of every 10 children lacks health insurance coverage. In these difficult and uncertain economic times, access to affordable health care for low-income children is more critical than ever.

The children who are enrolled in Texas SCHIP and CHIP programs around the country are from hard-working families. They deserve the opportunity to have access to affordable, accessible, and consistent health care. Healthy children become healthy, productive adults.

Children cannot work and children do not choose to be poor. Children do not choose where they live or the circumstances they are born into. But, as Members of Congress elected to serve all people young and old, we do have a choice. We can choose to improve access to health care for our children and make an investment in the future of our country.

#### CONGRATULATING FRANCES TRUJILLO

### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to one of my constituents, Mr. Frances Trujillo of Littleton, Colorado. Mr. Trujillo is a leadership and management administrator at Colorado Academy and is a recipient of the prestigious Fulbright Award. This grant is given to promising individuals to aid them in their academic and cultural pursuits abroad.

The Fulbright Program was established by Congress in 1946 and is sponsored by the U.S. State Department. This program was designed to help build mutual understanding between Americans and the global community. Individuals who are awarded this distinction have demonstrated outstanding academic or professional achievement and have proven themselves as leaders in their field.

Madam Speaker, please join me in paying tribute to Mr. Trujillo and wishing him the best in his future endeavors.

#### HONORING THE LIFE OF MARK TULCHINSKY OF SOUTH BEND, INDIANA

### HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. DONNELLY. Madam Speaker, today I rise to honor the life of Mark Tulchinsky, a leader in the South Bend Community School Corporation, a mentor, father, educator, and beloved member of the community. Mr. Tulchinsky passed away while working in his office at Tarkington Traditional School on January 22, 2008.

Tulchinsky's peers describe him as "a good friend and an excellent principal." He was the perfect example of an empathetic and kind-hearted principal as well as a tremendous friend and mentor. Whether it was taking part in school sports or activities or dealing with serious situations and discipline issues within his school, Tulchinsky was able to handle his position as a leader with poise and compassion.

Former students and colleagues said he had an uncanny ability to remember the names and faces of students, even decades after he taught them. We should all return this favor, by remembering and thanking him for his service to the young people of his community. There is no doubt that he positively impacted the lives of countless individuals. Throughout his life, he dedicated himself to bettering the community through volunteering and mentoring.

After graduating from Adams High school in South Bend, Tulchinsky attended the University of Chicago where he earned a bachelor's degree in history. He then returned to his hometown and began his lifelong career in education. Through the South Bend Community School Corporation, Tulchinsky began teaching at Perley Elementary in 1968. He taught for a few years as a fourth grade teacher, and in the process furthered his education by earning a master's degree in 1974 from the University of Notre Dame. Later, Tulchinsky gave back to the Notre Dame community by operating the shot clock for Notre Dame men's and women's basketball teams as well as timekeeping at Notre Dame home football games.

In 1979, Tulchinsky began his lengthy career in administration, first serving as assistant principal for Jefferson School. He went on to serve as a principal for McKinley, Perley, Jefferson, Monroe, and Tarkington Schools. Throughout his 39-year career in education, students called him by the affectionate nickname of Mr. T. In addition to his service in education, Tulchinsky was a big supporter of local athletic teams. He officiated for both basketball and football games, including the IHSA Class 2A football championship in 1983. His dedication to both athletics and education was evident in 1994 when he suffered a heart attack while officiating for basketball; he returned to teaching after his recovery.

Tulchinsky is survived by his wife of 38 years, Nan; three grown children, Peter, Daniel, and Sarah; four grandchildren, Abbey, Emma, Payton, and Jacob; as well as a myriad of students whose lives he touched. He will be greatly missed for his dedication to teaching, his devotion to the community, and his warm love for all those around him.

RECOGNIZING LIBBY WATSON FOR HER YEARS OF DEDICATION AND SERVICE TO THE CITY OF FORTH WORTH, TEXAS

### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. BURGESS. Madam Speaker, I rise today in recognition of Fort Worth Assistant City Manager Libby Watson and her years of dedication and service to the City of Fort Worth, Texas. Ms. Watson has been with the City of Fort Worth for almost 20 years, since 1989, and has recently decided to retire.

Ms. Watson began her career with the City of San Diego in their Financial Management Department in 1974, and was later appointed the Financial Management Director of the City in June of 1982. In 1986 she moved to Austin, Texas, where she became Assistant City Manager. Then, in 1989, she moved back to her hometown of Fort Worth to become the Assistant City Manager.

Outside of her job, Watson is very active in her community. She participates in various activities such as assisting with Girl Scouts, and she is the Treasurer for the Circle T Council Board of Directors.

Under Ms. Watson's leadership, Fort Worth has become a model city for the surrounding area. I know that the decision for retirement was not an easy one for her to make. I join the City of Fort Worth and all those who are fortunate enough to know Ms. Watson in wishing her all the best as she looks forward to spending more time with her family. The City of Fort Worth will truly miss her experience and leadership.

It is with great honor that I recognize Libby Watson for her years of hard work and selfless dedication given to the citizens of Fort Worth, Texas. I am proud to represent her in Washington, and her service will set a standard of devotion and true leadership, one that will never be forgotten.

CONGRATULATIONS TO MR. AND MRS. JEFFREY HUNT ON JANUARY 20, 2008 WEDDING

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. POE. Madam Speaker, on Sunday, January 20, 2008, my legislative assistant, Nicole Schouten, married Jeffrey Hunt in San Diego, California. Nicole met Jeff at Westmont College in the bookstore on campus. She was a store clerk and he was looking for an excuse to get to know Nicole so he frequently stopped in for a soda. Although they were both intrigued with each other the timing for their relationship wasn't right and they parted ways. Six years later, Jeff and Nicole reconnected in Washington, DC, while working on Capitol Hill.

Nicole and Jeff perfectly compliment each other not only in their political views, but in their desire to make their community and world a better place. Jeff devotes his time and talents to serving the people of Vienna Presbyterian Church and the youth of Arlington, Virginia as a Young Life leader. In addition to

her busy job and law school obligations, Nicole volunteers with the Make-A-Wish Foundation and the Big Sister/Little Sister program.

In August 2007 Jeff surprised Nicole with a week long trip to Holland. They spent 4 days exploring Amsterdam and the surrounding countryside, giving Nicole an opportunity to connect to her Dutch heritage. On August 11, 2007, in the Oude Kerk, Amsterdam's first parish, Jeff asked for Nicole's hand in marriage. Nicole, of course, accepted with enthusiasm.

I send Mr. and Mrs. Jeffrey Hunt best wishes for a lifetime of happiness and offer them the inspiring words of Wilfred Arlan Peterson's poem, *The Art of a Good Marriage*, as a guide in their new life together.

Happiness in marriage is not something that just happens.

A good marriage must be created.

In marriage the little things are the big things.

It is never being too old to hold hands.

It is remembering to say "I love you" at least once a day.

It is never going to sleep angry.

It is at no time taking the other for granted; the courtship should not end with the honeymoon, it should continue through the years.

It is having a mutual sense of values and common objectives.

It is standing together facing the world.

It is forming a circle of love that gathers the whole family.

It is doing things for each other, not in the attitude of duty or sacrifice, but in the spirit of joy.

It is speaking words of appreciation and demonstrating gratitude in thoughtful ways.

It is not looking for perfection in each other.

It is cultivating flexibility, patience, understanding and a sense of humor.

It is having the capacity to forgive and forget.

It is giving each other an atmosphere in which each can grow old.

It is a common search for the good and the beautiful.

It is establishing a relationship in which the interdependence is equal, dependence is mutual and the obligation is reciprocal.

It is not only marrying the right partner, it is being the right partner.

Congratulations Nicole and Jeff.

And that's just the way it is.

### PERSONAL EXPLANATION

### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Ms. LORETTA SANCHEZ of California. Madam Speaker, on Tuesday, January 22, 2008, I was unavoidably detained due to a prior obligation.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows:

(1) Rollcall No. 19: "yes," On Motion to Suspend the Rules and Pass H.R. 4211.

(2) Rollcall No. 20: "yes," On Motion to Suspend the Rules and Pass H. Res. 866.

HONORING THE UPPER MERION SENIOR CENTER

### HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. SESTAK. Madam Speaker, I rise today to honor the Upper Merion Senior Service Center. The Center has worked tirelessly and diligently to serve the senior citizens of Upper Merion over the past 10 years. The UMSSC has been successful in helping our seniors and our communities make choices for a healthier future.

The Upper Merion Senior Service Center offers critical healthcare services:

A nurse from Bryn Mawr Main Line Health visits the UMSSC twice a month in order to take blood pressure, weights, and respond to health inquiries from members.

The UMSSC offers free Stroke Risk Assessments.

Flu vaccine shots are offered each year to help ensure the health security of the members and surrounding community.

The UMSSC provides popular exercise programs, with trained instructors, three days a week.

Professional staffers offer free hearing screenings, free eyeglass maintenance, and informational presentations on hearing and vision.

They offer educational and informational packets concerning Medicare, Medicare Part D, and any other issue that is of importance to members and the surrounding community.

I applaud the Upper Merion Senior Service Center for providing all of these critical services to the community. I would also like to recognize the fact that the Upper Merion Senior Service Center works hand in hand with local community businesses by providing employment opportunities for members in office and clerical positions. All of these services are of the utmost importance for preserving and protecting the health security of the members, families, and communities living in Upper Merion, and I encourage the Center to continue to extend its profound, positive influence to those in need.

### TRIBUTE TO MICHAEL MARCY

### HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. WEINER. Madam Speaker, I would like to thank a committed staffer of mine, Michael Marcy.

Michael has been with my office for 4 years now. These past years he administered my office and maintained my hyperactive schedule with a clear and precise head and a generous sense of humor. Michael's life-long commitment to public service started with a term in the Clinton White House and continued into Senator CHARLES SCHUMER's office. From there he moved into my office—a clear step up from his previous two positions.

Michael is returning to his home city of Buffalo, New York with his wife, Jenn, and his son, Sean. My office will not be the same without him—I thank him for his dedication and he will be missed.

TRIBUTE TO MR. JOE LAMANTIA,  
JR.

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. CUELLAR. Madam Speaker, I rise today to honor Mr. Joe LaMantia, Jr., on being the recipient of the Golden Eagle Award from the McAllen Hispanic Chamber of Commerce during the 9th Annual Noche de Gala.

Joe has shown exemplary leadership in his civic service to the south Texas community with his extensive involvement in the Lions' Club, American Heart Association, Rio Grande Cancer Treatment Research Foundation, South Texas Communities for Youth Service, and the Special Olympics. Joe is also the founder and chairman of the preeminent South Texas Academic Rising Stars, STARS, organization, which gives opportunities to the youth in south Texas in pursuing their dreams of higher education. He has made their dreams possible, and it is for this reason alone, that he truly deserves the Golden Eagle Award from the McAllen Hispanic Chamber of Commerce. Today, STARS partners with hundreds of local and national businesses, organizations, colleges, and universities to raise over \$12 million in scholarship funds. This is truly a hallmark of Joe's success as a businessman, and as a committed husband to his wife, Derrelene, father to his seven children, and grandfather to his 26 grandchildren. Joe has come a long way from his initial start in farming in Carrizo Springs with produce operations in Chile and Mexico. The Rio Grande Valley became home for his family, and the base of his business, L&F Distributors, which has allowed him to deepen his ties to the south Texas community through his philanthropic work with STARS.

Madam Speaker, I am honored to have had this time to recognize the dedication and commitment of Mr. Joe LaMantia, Jr., and his organization, STARS, to the children in communities all across south Texas. I thank you for this time.

### HONORING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

SPEECH OF

### HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 23, 2008*

Mr. DONNELLY. Mr. Speaker, I rise today to join my colleagues in honoring the contributions of Catholic schools as we celebrate Catholic Schools Week.

I want to recognize both the teachers and administrators of Catholic schools across America who devote their lives to providing students with a strong moral and academic foundation.

Catholic institutions prepare 2.3 million young men and women for college and many of these students participate in volunteerism and other programs that help to improve the community.

The benefits of a Catholic education go far beyond the classroom. The moral and intellectual growth fostered in America's Catholic

schools prepare our young men and women with a sense of social responsibility that lasts a lifetime.

I know firsthand the positive value that a Catholic education can have in an individual's development. My wife and I are both products of Catholic schools and we chose to send our two children to Catholic schools based on the significant impact Catholic instruction has had in each of our lives.

It is with great pleasure that I stand before the House of Representatives and the American people today to commend the dedication of Catholic schools to the academic excellence of our young men and women.

### RECOGNIZING THE OPENING OF THE OHLONE COLLEGE NEWARK CENTER FOR HEALTH SCIENCES AND TECHNOLOGY

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. STARK. Madam Speaker, I rise today to pay tribute to the opening of the Ohlone College Newark Center for Health Sciences and Technology in Newark, California. The Center will be officially dedicated on January 31, 2008.

Ohlone College is looking to the future with a new green campus that will prepare students for jobs in the burgeoning health, biotech and environmental technology industries.

Ohlone College President Douglas Treadway said the Newark Center, in addition to being the first green college campus in the Nation, will be the first community college campus in California to have a thematic emphasis. The Center will specifically support the growing fields of health care, biotech and environmental technology.

The Ohlone College Newark Center for Health Sciences and Technology was completed in December 2007 and could be certified at the LEED platinum level—the highest U.S. Green Building Council certification for sustainable construction and design.

The 135,000 square-foot campus is constructed on 80 acres on Newark's Cherry Street and will be an addition to the college's main campus in Fremont, California. The Newark Center will serve some 3,500 students attending day and evening courses.

The Newark campus houses 26 miles of underground piping which is part of a geothermal system that will result in a 25 percent improvement in energy performance. There are some 38,000 square feet of solar panels employed at the Newark campus, which provide energy savings the equivalent to taking 1,000 cars off Bay Area freeways every day. The effects of the alternative energy features could reduce the campus' utility bills by as much as \$400,000 to \$500,000 a year.

The building employs three different alternative energy systems, and a long list of other green features, from recycled blue jeans for insulation to sustainable produced furniture.

I join the community in applauding the opening of the Ohlone College Newark Center for Health Sciences and Technology, the first green community college campus in the United States. This leadership and commit-

ment to quality education, energy and the environment, as demonstrated by Ohlone College, is exemplary.

CHARLES "CHUCK" ROBINSON

### HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. UDALL of New Mexico. Madam Speaker, sail boat racers, mining companies and Henry Kissinger don't have much in common. But they share this: all have relied on the passion and ingenuity of Chuck Robinson.

Chuck has been finding solutions to tough problems for most of his 88 years. He has received more than 30 patents for ideas ranging from better ways to transport iron ore to better ways to build a sailboat. His ideas have made him a leader in business and government. Even his home displays Chuck's brilliance and commitment to his community. His home features the world's largest heating system in a private home. And after all these accomplishments, Chuck has not slowed down.

I rise today to honor Chuck for receiving New Mexico's first Visionary Designer Lifetime Achievement Award. The award recognizes that Chuck has already put in a lifetime's worth of work tackling tough problems, but those who know him recognize that Chuck's work is far from over. I look forward to admiring Chuck's incredible abilities for years to come.

### HONORING HRANT DINK

### HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Mr. CAPUANO. Madam Speaker, one year after the tragic killing of Hrant Dink, his loss remains acutely felt by many communities throughout the world. To observe this anniversary, I resubmit for the record my statement made at the time of his death, which calls for comity and peace in a time of such sadness.

I supported H. Res. 102 and I condemn in the strongest possible terms the cowardly murder of journalist Hrant Dink in Istanbul on January 19, 2007. I find particularly contemptible the actions of those who seemingly chose a 17-year-old youth—the alleged killer—to commit this appalling crime. This despicable act should not, however, obscure the inspiring solidarity of tens of thousands of secular, Muslim, and Armenian Christian Turks who filed past Mr. Dink's bier and marched in his funeral procession. Western news media have estimated the crowds between 50,000 and 100,000. Important Turkish officials, such as Deputy Prime Minister Mehmet Ali Sahin; Interior Minister Abdulkadir Aksu; the governor of Istanbul, Muammer Guler; the head of the security forces, Celalettin Cerrah; and two generals joined Arman Kirakossian, the deputy Foreign Minister of Armenia, and other Armenian officials at the funeral service.

Everyone in the world who cherishes freedom and brotherhood must take heart when signs proclaiming "We are all Armenians" are carried through the streets of Istanbul. I wish



to express my condolences to the family and friends of Hrant Dink. I want also to express my profound respect for all his fellow citizens who protested his murder and mourned his death.

IN CELEBRATION OF THE LIFE OF  
MARTIN LUTHER KING, JR.

SPEECH OF

**HON. STEPHANIE TUBBS JONES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, January 15, 2008*

Mrs. JONES of Ohio. Mr. Speaker, it gives me great pleasure to rise today to celebrate the life of one of the greatest leaders in our Nation's history, Dr. Martin Luther King, Jr. Dr. Martin Luther King is revered and respected throughout the world for his commitment to unite humanity by working to end segregation and racial discrimination and to create social and economic justice for all.

Martin Luther King, Jr. brought the issues of racism, segregation, and inequality to the forefront of the United States' and the world's moral conscience. He willingly sacrificed his life for humanity in the hope of helping our Nation fulfill its promise of "life, liberty, and the pursuit of happiness" for all Americans. He vehemently expressed that America could not be true to its vision unless these inalienable rights expressed in its founding documents could be applied to all.

Dr. Martin Luther King, Jr. envisioned a world-wide community where all forms of discrimination and prejudice would cease to exist. He advocated peaceful methods of conflict resolution instead of brute force and violence. To King, his dream was not a utopian ideal, but a reality that could be actively sought. King stated that, "It is this love which will bring about miracles in the hearts of men."

Those who released attack dogs at him, sprayed him down with firehoses, threatened him, and even bombed his house ultimately learned to respect him and his vision because of his unequivocal embrace of humanity for all. He looked past the evil he faced and the ignorance many held firmly close at heart with an empathetic vision of hope for social and economic justice. That is, he believed righteousness and love could overcome the greatest evils. I quote his vision, "Yes if you want to say that I was a drum major, say that I was a drum major for justice; say that I was a drum major for righteousness. And all of the other shallow things will not matter. I won't have the fine and luxurious things of life to leave behind. But I just want to leave a committed life behind."

In his last sermon, Dr. King stated, "If any of you are around when I have to meet my day, I don't want a long funeral, and if you get somebody to deliver the eulogy, tell him not to talk too long.—Tell him not to mention that I have a Nobel Peace Prize; that isn't important. Tell him not to mention that I have three or four hundred other awards; that's not important. Tell him not to mention where I went to school. I'd like somebody to mention that day that Martin Luther King, Jr. tried to give his life serving others. I'd like for somebody to say that day that Martin Luther King, Jr. tried to love somebody—I want you to be able to say that day that I did try to feed the hungry. I

want you to be able to say that day that I did try in my life to visit those who were in prison. And I want you to say that I tried to love and serve humanity."

On behalf of the people of the 11th Congressional of Ohio I join with the rest of the Nation, and the world to celebrate the life of Dr. Martin Luther King, Jr. The torch has now been passed on to us to carry on his commitment for social and economic justice. There is still more work to be done. We must continue to strive towards making the dream Dr. King dreamt for us into a reality. May his legacy live on.

HONORING THE TEXAS WATER DEVELOPMENT BOARD ON ITS SELECTION AS A RECIPIENT OF THE ENVIRONMENTAL PROTECTION AGENCY'S 2007 CLEAN WATER STATE REVOLVING FUND PERFORMANCE AND INNOVATION AWARD

**HON. SHEILA JACKSON-LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 832, Honoring the Texas Water Development Board on its selection as a recipient of the Environmental Protection Agency's 2007 Clean Water State Revolving Fund Performance and Innovation Award, introduced by my distinguished colleague from Texas, Representative EDDIE BERNICE JOHNSON. This important legislation recognizes the exceptional work done by the Texas Water Development Board in its efforts to be an environmental innovator and for its vast contributions to the great State of Texas.

On November 5, 2007 the Texas Water Development Board was honored at the Council of Infrastructure Financing Authorities annual conference in Denver, Colorado. Subsequently, this mark of distinction produced a major environmental victory. The Texas Water Development Board agency is distinguished for its exceptional regional water planning activities, finest administration practices in nonpoint source pollution endowment, the instream flow program, and funding of water reuse projects amongst other notable achievements.

The Clean Water State Revolving Fund in Texas has lucratively granted communities nearly \$4,300,000,000 in low-interest loans to finance 472 water infrastructure projects across the State of Texas. This initiative serves about one-half of the population of Texas and provides direct environmental and public health benefits.

Mr. Speaker, it is with great honor that I urge that Congress recognize the magnitude of the Texas Water Development Board's satisfactory investment and management of water resources in sustainable development, including environmental integrity, human health, and overall quality of life in the United States.

I strongly urge my colleagues to join me in supporting this important legislation.

PERSONAL EXPLANATION

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, January 28, 2008*

Ms. LORETTA SANCHEZ of California. Madam Speaker, on Wednesday, January 23, 2008, I was unavoidably detained due to a prior obligation. Had I been present and voting, I would have voted as follows: Rollcall No. 21: "yes." On motion to pass H.R. 3963, the objections of the President to the contrary notwithstanding.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, January 29, 2008 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 30

10 a.m.

Budget

To hold hearings to examine the economic stimulus, focusing on budget policy for a strong economy over the short- and long-term budget outlook.

SD-608

Environment and Public Works

To hold hearings to examine the threats and protections for the polar bear.

SD-406

Finance

To hold hearings to examine private fees for service in Medicare Advantage plans.

SD-215

Judiciary

To hold oversight hearings to examine the Department of Justice.

SH-216

Small Business and Entrepreneurship

To hold hearings to examine the Small Business Administration's accountability, focusing on the efficacy of women's contracting and lender oversight.

SR-428A

11 a.m.

Foreign Relations

To hold hearings to examine the nominations of James K. Glassman, of Connecticut, to be Under Secretary for Public Diplomacy with the rank of Ambassador, Goli Ameri, of Oregon, to be Assistant Secretary for Educational

and Cultural Affairs, and David J. Kramer, of Massachusetts, to be Assistant Secretary for Democracy, Human Rights, and Labor, all of the Department of State.

SD-419

11:30 a.m.

## Energy and Natural Resources

Business meeting to consider S. 86, to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers, S. 127, to amend the Great Sand Dunes National Park and Preserve Act of 2000 to explain the purpose and provide for the administration of the Baca National Wildlife Refuge, S. 128, to amend the Cache La Poudre River Corridor Act to designate a new management entity, make certain technical and conforming amendments, enhance private property protections, S. 189, to decrease the matching funds requirements and authorize additional appropriations for Keweenaw National Historical Park in the State of Michigan, S. 327, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, S. 783, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, S. 868, to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, S. 1039, to extend the authorization for the Coastal Heritage Trail in the State of New Jersey, S. 1143, to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, S. 1247, to amend the Weir Farm National Historic Site Establishment Act of 1990 to limit the development of any property acquired by the Secretary of the Interior for the development of visitor and administrative facilities for the Weir Farm National Historic Site, S. 1304, to amend the National Trails System Act to designate the Arizona National Scenic Trail, S. 1329, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, S. 1341, to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, S. 1365, to amend the Omnibus Parks and Public Lands Management Act of 1996 to authorize the Secretary of the Interior to enter into cooperative agreements with any of the management partners of the Boston Harbor Islands National Recreation Area, S. 1377, to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, S. 1433, to amend the Alaska National Interest Lands Conservation Act to provide competitive status to certain Federal employees in the State of Alaska, S. 1476, to authorize the Secretary of the Interior to conduct special resources study of the Tule Lake Segregation Center in Modoc County, California, to determine suitability and feasibility of establishing a unit of the National Park System, S. 1522, to amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years

2008 through 2014, S. 1634, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, S. 1740, to amend the Act of February 22, 1889, and the Act of July 2, 1862, to provide for the management of public land trust funds in the State of North Dakota, S. 1802, to adjust the boundaries of the Frank Church River of No Return Wilderness in the State of Idaho, S. 1921, to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, S. 1939, to provide for the conveyance of certain land in the Santa Fe National Forest, New Mexico, S. 1940, to reauthorize the Rio Puerco Watershed Management Program, and S. 1941, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Wolf House, located in Norfolk, Arkansas, as a unit of the National Park System, and any other pending legislation.

SD-366

2:30 p.m.

## Finance

Business meeting to consider an original bill entitled, "The Economic Stimulus Act of 2008", and to consider changes to the rules of procedure of the Committee on Finance.

SD-215

3:30 p.m.

## Foreign Relations

To receive a closed briefing from members of the intelligence community.

S-407, Capitol

## JANUARY 31

9:30 a.m.

## Foreign Relations

To hold hearings to examine Afghanistan, focusing on a plan to turn the tide.

SD-419

## Armed Services

## Personnel Subcommittee

To hold an oversight hearing to examine military recruiting.

SR-232A

10 a.m.

## Banking, Housing, and Urban Affairs

To hold hearings to examine strengthening our economy, focusing on foreclosure and neighborhood preservation.

SD-538

## Budget

To hold hearings to examine the long-term outlook and sources of growth in health care spending.

SD-608

## Energy and Natural Resources

To hold hearings to examine S. 2323, to provide for the conduct of carbon capture and storage technology research, development, and demonstration projects, and S. 2144, to require the Secretary of Energy to conduct a study of feasibility relating to the construction and operation of pipelines and carbon dioxide sequestration facilities.

SD-366

## Environment and Public Works

To hold hearings to examine a report of the National Surface Transportation Policy and Revenue Study Commission.

SD-406

## Judiciary

Business meeting to consider S. 1638, to adjust the salaries of Federal justices and judges, S. 352, to provide for media coverage of Federal court proceedings, S. 2450, to amend the Federal Rules of

Evidence to address the waiver of the attorney-client privilege and the work product doctrine, S. 2304, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses, and the nominations of Mark R. Filip, of Illinois, to be Deputy Attorney General, Ondray T. Harris, of Virginia, to be Director, Community Relations Service, and David W. Hagy, of Texas, to be Director of the National Institute of Justice, Department of Justice.

SD-226

10:05 a.m.

## Environment and Public Works

Business meeting to consider S. 2146, to authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects.

SD-406

10:30 a.m.

## Aging

To hold hearings to examine elderly voters, focusing on opportunities and challenges for the 2008 election.

SH-216

2:30 p.m.

## Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine eliminating agency payment errors.

SD-106

## FEBRUARY 1

9:30 a.m.

## Joint Economic Committee

To hold hearings to examine the current economic outlook.

SD-106

## FEBRUARY 5

9:30 a.m.

## Veterans' Affairs

To continue oversight hearings to examine veterans disability compensation.

SR-418

10 a.m.

## Intelligence

To hold hearings to examine the world threat.

SH-216

2:30 p.m.

## Intelligence

To hold closed hearings to examine the world threat.

SH-219

## FEBRUARY 6

9:30 a.m.

## Armed Services

To hold hearings to examine the defense authorization request for fiscal year 2009, the future years defense program, and for operations in Iraq and Afghanistan.

SD-106

10 a.m.

## Energy and Natural Resources

To hold hearings to examine the President's proposed budget estimates for fiscal year 2009 for the Department of Energy.

SD-366

2:30 p.m.

## Intelligence

Closed business meeting to consider pending calendar business.

SH-219

## FEBRUARY 7

10 a.m.

## Commerce, Science, and Transportation

To hold hearings to examine the nominations of Robert A. Sturgell, of Maryland, to be Administrator of the Federal Aviation Administration, and Simon Charles Gros, of New Jersey, to be an Assistant Secretary, both of the Department of Transportation.

SR-253

## Health, Education, Labor, and Pensions

To hold hearings to examine weathering the economic storm, focusing on helping working families in troubling times.

SD-430

## Judiciary

To hold hearings to examine the Founding Fathers papers, focusing on ensuring public access to our national treasures.

SD-226

2:30 p.m.

## Armed Services

## Readiness and Management Support Subcommittee

To hold hearings to examine business transformation and financial management at the Department of Defense.

SR-222

## Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

## FEBRUARY 12

10 a.m.

## Judiciary

To hold hearings to examine the nominations of James Randal Hall, to be United States District Judge for the Southern District of Georgia, Richard H. Honaker, to be United States District Judge for the District of Wyoming, Gustavus Adolphus Puryear IV, to be United States District Judge for the Middle District of Tennessee, and Brian Stacy Miller, to be United States District Judge for the Eastern District of Arkansas.

SD-226

## FEBRUARY 13

9:30 a.m.

## Veterans' Affairs

To hold hearings to examine the President's proposed budget request for fiscal year 2009 for veterans programs.

SR-418

9:45 a.m.

## Energy and Natural Resources

To hold hearings to examine the President's budget request for fiscal year 2009 for the Department of the Interior.

SD-366

## FEBRUARY 14

9:30 a.m.

## Energy and Natural Resources

To hold hearings to examine the President's proposed budget estimates for

fiscal year 2009 for the Department of Agriculture Forest Service.

SD-366

10 a.m.

## Commerce, Science, and Transportation

To hold hearings to examine one year to digital television transition, focusing on consumers, broadcasters, and converter boxes.

SR-253

## FEBRUARY 27

2:30 p.m.

## Commerce, Science, and Transportation

## Space, Aeronautics, and Related Agencies Subcommittee

To hold hearings to examine the President's proposed budget request for fiscal year 2009 for the National Space and Aeronautics Administration (NASA).

SR-253

## FEBRUARY 28

9:30 a.m.

## Armed Services

To hold hearings to examine the defense authorization request for fiscal year 2009, for the Department of the Navy, and the future years defense program; with the possibility of a closed session in SR-222 immediately following the open session.

SH-216

# Daily Digest

## HIGHLIGHTS

House and Senate met in a Joint Session to receive a State of the Union Address from the President of the United States.

## Senate

### Chamber Action

*Routine Proceedings, pages S369–S402*

**Measures Introduced:** Two bills and one resolution were introduced, as follows: S. 2560–2561, and S. Res. 432. **Pages S394–95**

**Measures Considered:**

**FISA AMENDMENTS ACT:** Senate continued consideration of S. 2248, to amend the Foreign Intelligence Surveillance Act of 1978, to modernize and streamline the provisions of that Act. **Pages S375–88**

Pending:

Rockefeller/Bond Amendment No. 3911, in the nature of a substitute. **Page S375**

Feingold/Dodd Amendment No. 3909 (to Amendment No. 3911), to require that certain records be submitted to Congress. **Page S375**

Bond Amendment No. 3916 (to Amendment No. 3909), of a perfecting nature. **Page S375**

Reid Amendment No. 3918 (to the language proposed to be stricken by Rockefeller/Bond Amendment No. 3911), relative to the extension of the Protect America Act of 2007. **Page S375**

During consideration of this measure today, Senate also took the following action:

By 48 yeas to 45 nays (Vote No. 3), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Rockefeller/Bond Amendment No. 3911 (listed above). **Pages S387–88**

By 48 yeas to 45 nays (Vote No. 4), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Reid Amendment No.

3918 (to the language proposed to be stricken by Rockefeller/Bond Amendment No. 3911) (listed above). **Page S388**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at approximately 11:00 a.m., on Tuesday, January 29, 2008. **Page S401**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting the report on the State of the Union delivered to a Joint Session of Congress on January 28, 2008; which was ordered to lie on the table. (PM–35) **Pages S390–94**

**Nomination Confirmed:** Senate confirmed the following nomination:

Ed Schafer, of North Dakota, to be Secretary of Agriculture. **Pages S375, S402**

**Measures Placed on the Calendar:** **Page S370**

**Additional Cosponsors:** **Pages S395–96**

**Statements on Introduced Bills/Resolutions:** **Pages S396–98**

**Amendments Submitted:** **Pages S398–S401**

**Notices of Hearings/Meetings:** **Page S401**

**Privileges of the Floor:** **Page S401**

**Record Votes:** Two record votes were taken today. (Total—4) **Pages S387–88**

**Adjournment:** Senate convened at 2:00 p.m. and adjourned at 10:11 p.m., until 10:00 a.m. on Tuesday, January 29, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S402.)

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 14 public bills, H.R. 5137–5150; and H. Res. 942–945 were introduced. **Pages H478–79**

**Additional Cosponsors:** **Pages H479–80**

**Reports Filed:** Reports were filed today as follows: H.R. 4140, to designate the Port Angeles Federal Building in Port Angeles, Washington, as the “Richard B. Anderson Federal Building” (H. Rept. 110–515);

H. Res. 845, recognizing the 60th anniversary of Everglades National Park, with an amendment (H. Rept. 110–516, Pt. 1);

H. Res. 832, honoring the Texas Water Development Board on its selection as a recipient of the Environmental Protection Agency’s 2007 Clean Water State Revolving Fund Performance and Innovation Award (H. Rept. 110–517);

H.R. 3913, to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met (H. Rept. 110–518);

H. Res. 940, providing for consideration of the bill (H.R. 1528) to amend the National Trails System Act to designate the New England National Scenic Trail (H. Rept. 110–519); and

H. Res. 941, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 110–520). **Page H478**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Butterfield to act as Speaker Pro Tempore for today. **Page H459**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Felix Sparks Post Office Building Designation Act:** H.R. 4240, to designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the “Felix Sparks Post Office Building”; **Pages H460–62**

**Larry S. Pierce Post Office Designation Act:** S. 2110, to designate the facility of the United States Postal Service located at 427 North Street in Taft, California, as the “Larry S. Pierce Post Office”, by a  $\frac{2}{3}$  yeas-and-nays vote of 388 yeas with none voting “nay”, Roll No. 23—clearing the measure for the President; **Pages H462–63, H470–71**

**Richard B. Anderson Federal Building Designation Act:** H.R. 4140, to designate the Port Angeles

Federal Building in Port Angeles, Washington, as the “Richard B. Anderson Federal Building”, by a  $\frac{2}{3}$  yeas-and-nays vote of 388 yeas with none voting “nay”, Roll No. 24; **Pages H463–64**

**Amending the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met:** H.R. 3913, to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met; **Pages H464–65**

**Honoring the Texas Water Development Board on its selection as a recipient of the Environmental Protection Agency’s 2007 Clean Water State Revolving Fund Performance and Innovation Award:** H. Res. 832, amended, to honor the Texas Water Development Board on its selection as a recipient of the Environmental Protection Agency’s 2007 Clean Water State Revolving Fund Performance and Innovation Award; and **Pages H465–66**

Agreed to amend the title so as to read: “Honoring the Texas Water Development Board on its selection as a 2007 recipient of the Environmental Protection Agency’s Performance and Innovation in the SRF Creating Environmental Success Award.”. **Page H466**

**Commending the West Virginia University Mountaineer football team for exemplifying the pride, determination, and spirit of the Mountain State and overcoming adversity with skill, commitment, and teamwork to win the 2008 Tostitos Fiesta Bowl:** H. Res. 938, amended, to commend the West Virginia University Mountaineer football team for exemplifying the pride, determination, and spirit of the Mountain State and overcoming adversity with skill, commitment, and teamwork to win the 2008 Tostitos Fiesta Bowl. **Pages H468–70**

**Recess:** The House recessed at 3:18 p.m. and reconvened at 5:02 p.m. **Page H470**

**Suspension—Proceedings Postponed:** The House debated the following measure under suspension of the rules. Further proceedings were postponed until Tuesday, January 29th:

**Commending the Louisiana State University Tigers football team for winning the 2007 Bowl Championship Series national championship game:** H. Res. 933, amended, to commend the Louisiana State University Tigers football team for winning

the 2007 Bowl Championship Series national championship game.

Pages H467–68

**Recess:** The House recessed at 5:38 p.m. and reconvened at 8:37 p.m.

Page H472

**State of the Union Address:** President George W. Bush delivered his State of the Union address to a joint session of Congress, pursuant to the provisions of H. Con. Res. 282. He was escorted into the House Chamber by a committee comprised of Representatives Hoyer, Clyburn, Emanuel, Larson (CT), Van Hollen, Becerra, DeLauro, Slaughter, Boehner, Blunt, Putnam, McCotter, Granger, Carter, Cole (OK), and Cantor and Senators Reid, Durbin, Schumer, Murray, Dorgan, Stabenow, Biden, Dodd, McConnell, Kyl, Alexander, Hutchison, Cornyn, Ensign, and Coleman. The President's message was referred to the Committee on the Whole House on the State of the Union and ordered printed (H. Doc. 110–82).

Pages H472–76

**Senate Messages:** Messages received from the Senate by the Clerk and subsequently presented to the House today appear on page H460.

**Quorum Calls—Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H470–71 and H471. There were no quorum calls.

**Adjournment:** The House met at 2:00 p.m. and adjourned at 10:14 p.m.

## Committee Meetings

### SAME DAY CONSIDERATION OF RESOLUTIONS REPORTED BY THE RULES COMMITTEE—ECONOMIC STIMULUS

*Committee on Rules:* Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain rules reported from the Rules Committee. The rule applies the waiver to any rule reported on the legislative day of January 29, 2008, providing for consideration of a bill to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits.

### NEW ENGLAND NATIONAL SCENIC TRAIL DESIGNATION ACT

*Committee on Rules:* Granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 1528, New England National Scenic Trail Designation Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill ex-

cept clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.

The rule makes in order only those amendments printed in the Rules Committee report. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Representatives Grijalva and Bishop of Utah.

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## COMMITTEE MEETINGS FOR TUESDAY, JANUARY 29, 2008

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on the Budget:* to hold hearings to examine the long-term budget outlook, 10 a.m., SD–608.

*Committee on Finance:* to hold hearings to examine the nomination of Douglas H. Shulman, of the District of Columbia, to be Commissioner of Internal Revenue, Department of the Treasury, 10 a.m., SD–215.

### House

*Committee on Appropriations,* Subcommittee on Defense, executive, DOD Inspector General on Outsourcing, 10 a.m., H–140 Capitol.

*Committee on Armed Services,* Subcommittee on Oversight and Investigations, hearing on Interagency Reform: Can the Provincial Reconstruction Team (PRT) Case Study Illuminate the Future of Reconstruction and Stabilization Operations? 10 a.m., 2212 Rayburn.

*Committee on the Budget,* hearing on Using Fiscal Policy to Bolster the U.S. Economy, 10 a.m., 210 Cannon.

*Committee on Education and Labor,* hearing on H.R. 3195, ADA Restoration Act of 2007, 10 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Health, hearing entitled “Covering Uninsured Kids:



Missed Opportunities for Moving Forward,” 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, to vote on the issuance of subpoenas for witnesses and documents in connection with the Subcommittee’s ongoing investigation into the adequacy of the efforts of the FDA to protect the American public from excessive risks from prescription drugs and other matters, 9:30 a.m., followed by a hearing entitled “Science and Mission at Risk: FDA’s Self-Assessment,” 10 a.m., 2123 Rayburn.

Subcommittee on Telecommunications and Internet, hearing entitled “Public, Educational, and Governmental (PEG) Services in the Digital TV Age,” 1 p.m., 2322 Rayburn.

*Committee on Homeland Security*, hearing entitled “Ensuring Safe and Effective Housing Programs in the Wake of Disasters,” 2 p.m., 311 Cannon.

*Committee on the Judiciary*, Subcommittee on Commercial and Administrative Law, hearing on the Growing Mortgage Foreclosure Crisis: Identifying Solutions and Dispelling Myths, 2 p.m., 2141 Rayburn.

Subcommittee on the Constitution, Civil Rights, and Civil Liberties, oversight hearing on Reform of the State Secrets Privilege, 10 a.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Enforcement of Federal Espionage Laws, 2 p.m., 2237 Rayburn.

*Committee on Natural Resources*, Subcommittee on Water and Power, oversight hearing on the Immediate Federal and State Role in Addressing Uncertain Water Deliveries for California and the Impacts on California Communities,” 10 a.m., 1334 Longworth.

*Committee on Oversight and Government Reform*, to consider the following measures: H. Con. Res. 273, Recognizing the 50th Anniversary of the National Academy of Recording Arts and Sciences; H. Res. 76, Urging the establishment and observation of a legal public holiday in honor of Cesar E. Chavez; H. Res. 867, Commending the Houston Dynamo soccer team for winning the 2007 Major League Soccer Cup; H.R. 3532, To designate the facility of the United States Postal Service located at 5815 McLeod Street in Lula, Georgia, as the “Private Johnathon Millican Lula Post Office;” H.R. 3936, To designate the facility of the United States Postal Service located at 116 Highway in Cleveland, Georgia as the “Sgt. Jason Harkins Post Office Building;” H.R. 4203, To designate the facility of the United States Postal Service located at 3035 Stone Mountain Street in Lithonia, Georgia, as the “Jamaal RaShard Addison Post Office

Building;” H.R. 4454, To designate the facility of the United States Postal Service located at 3050 Hunsinger Lane in Louisville, Kentucky, as the “Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office Building;” in honor of the servicemen and women from Louisville, Kentucky, who died in service during Operation Enduring Freedom and Operation Iraqi Freedom; H.R. 5135, To designate the facility of the United States Postal Service located at 201 West Greenway Street in Derby, Kansas, as the “Sergeant Jamie O. Maugans Post Office Building;” S. 2272, To designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John “Marty” Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007; and S. 2478, To designate the facility of the United States Postal Service located at 59 Colby in East Hampstead, New Hampshire, as the “Captain Jonathan D. Grassbaugh Post Office;” followed by a hearing on Addressing the Screening Gap: The National Breast and Cervical Cancer Early Detection Program, 9:30 a.m., 2154 Rayburn.

Subcommittee on Information Policy, Census and National Archives, to consider H.R. 3548, Plain Language in Government Communications Act of 2007, 2 p.m., 2154 Rayburn.

Subcommittee on National Security and Foreign Affairs, to continue hearings on Pakistani Elections: Will They Be Free and Fair or Fundamentally Flawed (Part II), 11 a.m., 2154 Rayburn.

*Committee on Small Business*, hearing entitled “SBIR: America’s National Technology Development Incubator,” 10 a.m., 2360 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the Use of Artificial Intelligence to Improve the VA’s Claims Processing System, 2 p.m., 340 Cannon.

Subcommittee on Oversight and Investigations, hearing on VA Credentialing and Privileging: A Patient Safety Issue, 10 a.m., 340 Cannon.

*Permanent Select Committee on Intelligence*, executive, briefing on Pakistan, 1 p.m., H-405 Capitol.

### Joint Meetings

*Commission on Security and Cooperation in Europe*: to hold hearings to examine taking stock, focusing on combating anti-Semitism in the Organization for Security and Cooperation in Europe (OSCE) region, 10 a.m., SD-419.

*Next Meeting of the SENATE*

10:00 a.m., Tuesday, January 29

## Senate Chamber

**Program for Tuesday:** After the transaction of any morning business (not to extend beyond 11:00 a.m.), Senate will continue consideration of S. 2248, FISA Amendments Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10:30 a.m., Tuesday, January 29

## House Chamber

**Program for Tuesday:** Consideration of the following suspensions: 1) H.R.—Recovery Rebates and Economic Stimulus for the American People Act of 2008 and 2) H.R. 5104—To extend the Protect America Act of 2007 for 30 days. Consideration of H.R. 1528—New England National Scenic Trail Designation Act (Subject to a Rule).

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